

On Carnival, Accountability and Synergy: A Response to Bridget Storrie

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I thank Bridget Storrie warmly for a fascinating article that helps me to think about carnival's political promise in more rewarding ways.¹ Storrie and I differ in how we assess the Canadian Truth and Reconciliation Commission (TRC) in our stances on the utility of traditionally investigative modes of official historical inquiry, and, perhaps to some extent, in the political ontologies underlying these differences. I thank the editors for allowing this exchange to occur, and I hope it contributes to our understanding of the Canadian TRC and to debates about responding to historic injustice more generally.²

'Carnival of Truth' focused on the TRC's distinctively victim-centred approach to producing and disseminating knowledge. It noted that the Commission's fault-finding and forensic investigative mandate was severely limited: the TRC was denied subpoena powers and lacked even the right to report on allegations against specific individuals (unless the individual had

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² Storrie rejects 'historic injustice' for its connotations of pastness, preferring Spinner-Halev's concept of 'enduring injustices' instead. Jeff Spinner-Halev, 'From Historical to Enduring Injustice,' *Political Theory* 35(5) (2007): 574–597. But I think the former emphasis draws valuable analytic and political attention to matters of origin, causation and process in debates about political wrong and social suffering. Thus, we might see 'historic injustice' as connoting not sequestered pastness but rather ongoing significance, in the same way that 'historic' works of art are those seen as having special importance for situating and understanding the present. For Storrie's position, see, Bridget Storrie, "'The Mighty Life-Creating and Transforming Power" of Carnival: Why the Canadian Truth and Reconciliation Commission Does Not Seem to Have It, but Indigenous Resurgence Does,' in this edition of the *Journal*.

already been convicted of the offence at issue) or make assignments of individual responsibility or blame in its proceedings and findings. Instead, the TRC's primary concern was to tell the story of Canada's Indian residential schools policy through the experiential narratives of the former students, families and community members affected by that policy. At this response's time of writing, the Commission had concluded seven years of roving public hearings, from which it garnered roughly 6,750 individual statements, to be housed permanently at the University of Manitoba's National Centre for Truth and Reconciliation (NCTR). The statements figured as important sources in the Commission's final summary report of June 2015.³

Drawing on legal scholar Teresa Godwin Phelps and my own very modest knowledge in cultural studies, I argued in 'Carnival of Truth' that this victim-centred approach was carnivalesque in character.⁴ With this latter term, I invoked literary theorist Mikhail Bakhtin's expression for a political imaginary rooted in the medieval world-upside-down of European festival, which served him as an inspiring heuristic for identifying modes of relationship on which to build in moving beyond bureaucracy and domination.⁵ What I found particularly carnivalesque about the TRC was its focus on attempting to transform societal knowledge and attitudes by establishing itself as a platform for former residential school students.

³ Truth and Reconciliation Commission of Canada (TRC), *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015). A full, multi-volume report is expected to follow later in 2015.

⁴ Teresa Godwin Phelps, *Shattered Voices: Language, Violence, and the Work of Truth Commissions* (Philadelphia, PA: University of Pennsylvania Press, 2004).

⁵ Mikhail Bakhtin, *Rabelais and His World*, trans. Hélène Iswolsky (Cambridge, MA: MIT Press, 1968).

By treating the former students as the most important experts on its mandate and by striving to ensure that they would be heard in their own ways and voices, the TRC subverted carnivalistically the settler-colonial assumptions about knowledge, voice and expertise that sustained the residential schools enterprise. These assumptions were that Indigenous children should not be heard in their own voices (indeed at many schools indigenous languages were harshly proscribed), that native cultures and spiritualities should be eliminated, and that orchestrating a systematic assault on indigenous childhood was the most reliable means of eliminating future indigenous identities and sovereignties. 'Cultural genocide' is the Commission's robustly defended characterization of what these settler-colonial assumptions sought to effect. Their normative and intellectual premises were what the TRC sought to overturn in its victim-centred, testamentary and often festival-like public proceedings.⁶

At this point, a fair summary of Storrie's position might be to say that, for her, the Commission was too bureaucratically encumbered, too eager to promote only particular kinds of narratives and too uninterested in directly involving and challenging officialdom in its proceedings. On her account, a better commission would have been more carnivalesque still. But Storrie's contribution goes further. She explains that a deeper reading of Bakhtin than mine would base its hopes for a transformative carnivalesque politics on more than the inspirational appeal of temporary, symbolic reversals of prevailing relations and assumptions. 'Heteroglossia' is the Bakhtinian term for the condition that these more meaningfully carnivalesque encounters might effect. And as Storrie explains further, heteroglossia means a wide variety of voices placed in equal dialogue: a destabilizing and creative condition of radical equality capable of catalyzing

⁶ TRC, supra n 3 at 1.

profound change. I appreciate the superior understanding that Storrie's emphasis on heteroglossia in carnival brings to this debate.

I also appreciate Storrie's more specifically political point, which is that indigenous activism has been busy forging spaces whose transformative potential outshines that of the TRC in important respects. Storrie points to two forces in particular: the self-determining emphasis on cultural regeneration and traditional governance in indigenous resurgence projects and the vibrant invitation to nation-to-nation partnership extended by the Idle No More movement, which has focused on defending native lands and reestablishing treaty partnerships. For Storrie, these approaches exemplify some of the 'carnivalistic leaven' needed to help transform relations between Canada and indigenous peoples.⁷ I agree.

But despite Storrie's fine contributions, I do not think that she grapples adequately with the core concern of 'Carnival of Truth.' This concern was that, given key peculiarities of the contemporary Canadian context, a victim-centred, carnivalesque TRC was likely to leave a specifically patterned knowledge deficit that Canada would still need to address. Storrie acknowledges my concern about the broader Canadian context, but her article – no doubt needing the space to pursue its own purposes – does not devote much attention to what this concern about context meant for my argument. So let me restate my position here.

Unlike many of the transitional contexts that have given rise to truth commissions in the global South, the operative Canadian knowledge interest in investigating the relevant injustices did not come from a victorious new regime, a previously suppressed majority citizenry or even from a political faction that

⁷ Storrie, supra n 2 at [setter plse to add in the page number once the storrie article has been set].

enjoyed deep public support. Instead, the beneficiaries of the injustices massively outnumbered the victims (and continue to outnumber them) and these beneficiaries controlled the country's key institutions (and continue to control them). In short, therefore, neither the non-indigenous settler majority nor its major institutions had any obvious political incentive for disturbing Canada's prevailing patterns of ignorance about residential schooling and indigenous dispossession. The pressure for truth that created the TRC came from residential school survivors and their communities alone. This fact makes Canada very different from, say, South Africa or Chile, where there was significant majority-society interest in uncovering historical truths about the perpetrators, modalities and planning of massive injustices.⁸

As I wrote in 'Carnival of Truth,' not only were Canadian authorities hostile to examination and introspection, but the former students and their communities also had their own distinctive knowledge priorities. Disbelieved, belittled and silenced in their struggles, many residential school survivors wanted Canada to learn about their experiences, about the impact of the attempted cultural genocide and about their aspirations for healing and change. Their strategizing and pressure forced an exceedingly reluctant Canadian federal government (along with the Christian churches that had a hand in running the schools) to accept the 2006 Indian Residential Schools Settlement Agreement. The Agreement constituted the largest class action settlement in Canadian history by, among other things, forcing Ottawa to agree to the longstanding demand among survivors for an officially mandated TRC that would tell their stories. I argued that a commission arising from and shaped by this juxtaposition

⁸ Matt James, 'Uncomfortable Comparisons: The Canadian Truth and Reconciliation Commission in International Context,' *Les Ateliers de l'Éthique/The Ethics Forum* 5(2) (2010): 23–35.

of forces – survivors seeking to convey their knowledge and institutions seeking to hide theirs – would be poorly placed to conduct a perpetrator-centred investigation into the deeds and decision making surrounding the schools.⁹ Thus, ‘Carnival of Truth’ argued that the basic sociology of knowledge production surrounding the TRC left us with a significant gap in accountability.

Storrie’s concerns about accountability are different. Lamenting the formality and imposed restrictions of the officially sanctioned TRC, she explores indigenous resurgence and Idle No More as examples of more genuinely bottom-up, carnivalesque approaches.¹⁰ In particular, Storrie argues that their focus on defending indigenous communities and directly challenging officialdom is well placed to effect heteroglossia, that is, to create political conditions in which the Canadian state and society are compelled to engage meaningfully with indigenous concerns. Thus, by accountability Storrie appears to mean responsiveness and answerability to contemporary indigenous struggles, something that requires what Taiaiake Alfred calls grassroots strategies of ‘creative contention.’¹¹

I support strongly this vision of accountability as responsiveness to grassroots struggles of creative contention. But ‘Carnival of Truth’ insisted on an additional vision. This is a perpetrator-centred vision of historical accountability that involves investigating deeply the modalities and details of injustice in order to

⁹ Some residential school abuse survivors also sought accountability by pressing criminal charges against their abusers and holding Canada civilly liable for that abuse in the courts. Still, the overwhelming emphasis of survivors in their political struggles in relation to the schools has been on confronting ‘the widespread ignorance amongst non-Indigenous Canadians about the [residential schools] system and its profound and continuing effect on Indigenous communities.’ Kim Stanton, ‘Canada’s Truth and Reconciliation Commission: Settling the Past?’ *International Indigenous Policy Journal* 2(3) (2011): 6.

¹⁰ Storrie, *supra* n 2.

¹¹ Taiaiake Alfred, *Wasáse: Indigenous Pathways of Action and Freedom* (Toronto: University of Toronto Press, 2005), 59.

promote introspection and humility on the part of wrongdoing institutions and their beneficiaries. I argued that the TRC was poorly suited to pursuing this kind of accountability, but I think that Storrie's approach neglects it as well. Consider the knowledge gap that I identified in 'Carnival of Truth' as the product of the diverging polar forces of a victim-centred, carnivalesque TRC, on the one hand, and a Canadian government and settler society uninterested in self-examination and introspection, on the other. I worried that this gap would leave unaddressed the determinate actions, chains of decision making and assorted egregious acts of institutional and individual enabling responsible for attempted cultural genocide in this country.

To raise only a few of many possible concerns about the resultant deficit in historical truth, it is known that abusers of children were shielded from exposure and consequences; that students in many schools were systematically overworked and underfed; that frequent disease outbreaks led to student death rates similar to those of Canadian soldiers in the Second World War; and that these high illness and death rates, in conjunction with the schools' rampant levels of physical and sexual abuse, would have led Canadian coroners' services, police forces, health personnel, federal civil servants and federal Cabinet ministers at various times to have all become involved in direct wrongdoing in relation to the schools.¹² Seven years after the TRC's creation, Canada still knows remarkably little in detail about the planning, conduct, individual persons and decision making involved.

Concerns about this kind of ignorance point up the value of the wrongdoer-focused, and not always terribly carnivalesque, expertise and investigative techniques of historians, law scholars, civil service specialists,

¹² TRC, supra n 3.

police investigators and human rights researchers.¹³ For example, given a mandate and focus emphasizing these techniques and forms of expertise, a TRC could impose authoritative negative sanctions of naming and shaming: instruments of humbling that, in turn, might serve over the long run to rebuke impunity – deterring future wrongdoers in their capacities, for example, as high-level decision makers, lower-ranking public servants, healthcare providers or police officers – and make Canadian institutions more genuinely responsive in their dealings with indigenous individuals, communities and nations. Indeed, I would argue that Canada needs this more forensically focused kind of inquiry to address not only the residential schools but other important historical modalities of its version of settler-colonialism as well.¹⁴

For all their strengths as routes to accountability in the sense of heteroglossic responsiveness via creative contention, both indigenous resurgence and Idle No More are less well situated when it comes to promoting introspective, wrongdoer-centred accountability. After all, the focus of indigenous resurgence movements on defending community traditions and capacities gives them, quite properly, what is at most only a distantly secondary concern with historically studying, investigating and morally renovating Canadian institutions – with, in other words, fixing what Paulette Regan calls ‘the settler problem.’¹⁵ More

¹³ Examples of this more perpetrator-centred focus are James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013) and Ian Mosby, ‘Administering Colonial Science: Nutrition Research and Human Biomedical Experimentation in Aboriginal Communities and Residential Schools, 1942–1952,’ *Histoire sociale/Social History* 46(91) (2013): 145–172. It is revealing that, although their revelations of Canadian malfeasance were published while the TRC was ongoing, they occurred entirely separately from the TRC’s investigations.

¹⁴ To be clear, the 1996 Royal Commission on Aboriginal Peoples was an official inquiry into, among other things, Canada’s mistreatment of indigenous peoples, but it lacked subpoena powers and did not in any detail pursue specific questions of causal responsibility and moral blame.

¹⁵ Paulette Regan, *Unsettling the Settler within: Indian Residential Schools, Truth Telling,*

broadly, both indigenous resurgence and Idle No More lack the official standing and the financial, bureaucratic and symbolic resources necessary to confront Canadians with deep, perpetrator-centred accounts of causal and moral responsibility for historical wrongdoing.

Thus, I argue that we need both kinds of accountability: heteroglossic responsiveness to struggles of creative contention and forensically focused official historical investigations oriented towards allocating causal and moral blame. A great virtue of Storrie's article is its emphasis on grassroots transformative struggles in transitional justice. This is something that, perhaps because of the ubiquity of prudential considerations about postconflict demobilization across much of the global South where transitional justice has its historic centre, traditional treatments of the topic have often lacked.¹⁶ My concern with Storrie's argument is that it appears to give short shrift to the more classically perpetrator-centred emphasis on accountability associated with the originary traditions of 20th-century transitional justice.¹⁷ But surely the relation between these two forms of transitional accountability is synergistic. For example, a state and society humbled by close encounters with the forensic details of their causal and moral responsibility for grave injustice might become more appropriately responsive to grassroots struggles from below. Conversely, a state and society compelled to face community realities and demands through grassroots struggles may become better placed to use more wisely the knowledge it gleans from a classically perpetrator-centred truth-commission

and Reconciliation in Canada (Vancouver: University of British Columbia Press, 2010) x.

¹⁶ Rosemary Nagy, 'Transitional Justice as Global Project: Critical Reflections,' *Third World Quarterly* 29(2) (2008): 275–289.

¹⁷ On 'phase 1' transitional justice, see Ruti Teitel, 'Transitional Justice Genealogy,' *Harvard Human Rights Journal* 16 (2003): 69–94.

exercise. In this light, I therefore hope that the articles in this scholarly exchange can be read synergistically as well.

I stressed that 'Carnival of Truth' was not intended as a critique of the TRC. My concern was instead with the blind spots flowing from the basic sociology of knowledge production surrounding the Commission. Storrie's article is more critical, and, although I never imagined myself as the TRC's cheerleader, I would like to take issue with some aspects of her assessment. Criticizing 'the formality of the way in which information has been given and received' at TRC events, Storrie calls the TRC a 'sanctioned space,' a 'formal and monolithic occasion that serves official ends.'¹⁸ I think that the TRC in its public events has been less rigidly formal, more subversive of power and less monolithic in voice than this. At four TRC national events and one regional event, I saw survivor and intergenerational perspectives on residential schools and Canadian colonialism delivered in forms such as poetry, song, prayer and interpretive dance. I heard speakers defy the formal proscriptions of the TRC's mandate. I witnessed (and joined) the crowd's boos when the oil pipeline company, Kinder Morgan, was mentioned as a TRC 'partner' at the Vancouver National Event.¹⁹ At the public release of the TRC's final summary report, I watched when Bernard Valcourt, minister of Aboriginal affairs, was interrupted and excoriated by an audience member on the topic of Canada's continued mistreatment of indigenous

¹⁸ Storrie, supra n 2 at [setter pls to add in the page numbers once the storrie article has been set].

¹⁹ TRC, Vancouver National Event, 'Call to Gather' session, 21 September 2014. For an excellent critique of the TRC's decision to accept Kinder Morgan's sponsorship, see, Khelsilem Rivers, 'Why is Big Oil Funding Reconciliation Week Events in Vancouver?' *rabble.ca*, 19 September 2013, <http://rabble.ca/news/2013/09/why-big-oil-funding-reconciliation-week-events-vancouver> (accessed 6 August 2015).

children.²⁰ Later that day, Valcourt was the only dignitary on the TRC stage who did not stand in support when Commission chair Murray Sinclair announced the TRC's recommendation for a national inquiry into Canada's thousands of missing and murdered indigenous women. At the time of writing, a photo capturing Valcourt's lonely refusal was being used to subject the minister to a vigorous internet shaming.²¹ In these moments and others, the TRC seemed carnivalesque to me.

More generally, I agree with legal anthropologist Ronald Niezen's characterization of the diversity of claims at TRC events, although our perspectives differ in other key respects. Here is Niezen on these claims:

accounts of political usurpation, unresolved treaty claims ... the apprehension and fostering of children [by state] agencies ... ongoing forms of state-sponsored exclusion, dispossession, racism, and assaults to ... pride ... It is almost as though the Commission's hearings were an open court of justice in which any cause [could] be heard.²²

²⁰ TRC, Ottawa Final Event, 'Response from Parties to the Indian Residential Schools Settlement Agreement' session, 2 June 2015.

²¹ For an account of this shaming, see, Ryan Maloney, 'Tories Unmoved by Truth and Reconciliation Call for Inquiry, Implementation of UN Doc,' *Huffington Post Canada*, 2 June 2015, http://www.huffingtonpost.ca/2015/06/02/truth-and-reconciliation-tories-national-inquiry_n_7497224.html (accessed 6 August 2015). Canada has approximately 1,181 cases of missing and murdered indigenous women. See, Royal Canadian Mounted Police, 'Missing and Murdered Aboriginal Women: A National Operational Overview,' www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.htm (accessed 6 August 2015). Concerned activists and communities seek a national inquiry to help address the shortcomings in policing, community security and underlying social conditions that have allowed such a crisis to occur and fester.

²² Ronald Niezen, *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools* (Toronto: University of Toronto Press, 2013), 102.

Or consider political scientist Rosemary Nagy's first-hand account: speakers made 'explicitly transgressive and political statements'; 'ceremony and prayer [were] integral to [the] proceedings'; panels 'engaged issues of Indigenous governance, research ethics, Indigenous language'; and several forums initiated spaces 'for epistemological and structural decolonization.'²³ Thus, there seems some warrant for arguing that the TRC was more carnivalesque than Storrie allows.

Moreover, I think Storrie is mistaken to base her 'not carnivalesque enough' judgement on a perspective bounded so sharply by the temporal confines of the TRC's past public events. In particular, Storrie argues that the weakly furtive presence of Canadian officialdom at TRC events meant that the events could not truly be sites for the 'heteroglossic dialogue of carnival.' As she explains, such dialogue must 'bring a variety of different voices together ... in a way that challenges the monologic truth of authority.'²⁴ And so Storrie asks: 'Now that the formal work of the Canadian TRC is over, can the "carnival of truth" begin?'²⁵ But why deny in advance the future possibility that these more genuinely heteroglossic dialogues might in fact arise precisely because of rather than despite the work of the TRC?

The TRC's public events will continue to live on in cyberspace. Its witness narratives and other materials will be publicly accessible through the University of Manitoba's NCTR. Its final report and recommendations will raise ongoing challenges and demand responses. For example, the British Columbia and

²³ Rosemary Nagy, 'The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission,' *International Journal of Transitional Justice* 7(1) (2012): 66–67.

²⁴ Storrie, supra n 2 at [setter plse to add in the page number once the storrie article has been set].

²⁵ Ibid., [setter plse to add in the page number once the storrie article has been set].

Alberta governments responded almost immediately to one of the TRC's key recommendations by announcing that they would make residential schools education a mandatory aspect of high school curricula.²⁶ Thus, from within education systems once premised on their disappearance and silencing, indigenous and survivor voices may through the ensuing curriculum changes rise to challenge more familiarly Canadian pedagogies for years to come. My point is not to stake undue hope on this one rather limited illustration, but simply to underscore that the TRC's possible role as 'carnivalistic leaven' is surely as much a matter for the future as it is of the past.²⁷

I have argued in this response that Storrie is too strong in her 'not carnivalesque enough' assessment of the TRC's public events and that she might have done more to consider the Commission's long-run heteroglossic prospects. But the larger point in 'Carnival of Truth' was different. In conclusion, let me restate it as follows: I do not think that the magnitude of a given forum's rejection of or departure from the epistemological tools and investigative methods of mainstream officialdom is a good metric for assessing attempts at transitional justice. This is not a point against Storrie, who is of course more astute than this, but it is a warning about placing undue faith in the world-upside-down spirit of the

²⁶ See, 'Alberta Students to Learn More about Impact of Residential Schools,' *HuffPost Alberta Canada*, 5 June 2015, http://www.huffingtonpost.ca/2015/06/05/alberta-students-to-learn_n_7520122.html (accessed 6 August 2015); Dirk Meissner, 'B.C. Schools Add Kindergarten-to-Grade-12 Content on Aboriginal Experience, History,' *thestar.com*, 17 June 2015, <http://www.thestar.com/news/canada/2015/06/17/bc-schools-add-kindergarten-to-grade-12-focus-on-aboriginal-experience-history.html> (accessed 6 August 2015); Dirk Meissner, 'New B.C. School Curriculum Will Have Aboriginal Focus,' *The Globe and Mail*, 17 June 2015, <http://www.theglobeandmail.com/news/british-columbia/new-bc-school-curriculum-will-have-aboriginal-focus/article25003962/> (accessed 6 August 2015); TRC, *supra* n 3.

²⁷ Storrie, *supra* n 2 at [setter plse to add in the page number once the storrie article has been set].

carnavalesque. Certainly, concerns about the limitations and biases of perpetrator-centred, forensic investigative tools and methods will lead scholars and practitioners to explore alternatives. But my reading of the Canadian case is that this search for alternatives can in some circumstances interact with the self-exculpatory biases of officialdom in ways that spare wrongdoer institutions from having to face their own familiar and culturally resonant tools of historical learning and accountability.