

“Elected Officials and Aboriginal Politics in Canada: A Survey of Federal, Provincial, and Territorial Attitudes”

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The federal government of Canada in conjunction with the four mainline Christian churches pursued Indian Residential Schooling (IRS) policies for over a century as part of a process of forced assimilation of Aboriginal peoples. There is a growing sense among many Aboriginal leaders that IRS policies violated aspects of the 1948 UN Genocide Convention (UNGC), although government officials have rejected the label. This paper contextualizes and presents an online nationwide survey‡ we have conducted at federal, provincial, and territorial levels across Canada. The survey is bilingual and has been supported by the SSHRCC and the University of Guelph. Elected officials were approached in confidence to complete a survey concerning their attitudes towards changes in the current political system to facilitate increased Aboriginal representation, in line with models in other countries, and based on recommendations by the Royal Commission on Aboriginal Peoples.

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† My thanks to Dr. MacDonald for giving me the opportunity to work with him on this project.

‡ The survey is 12 pages in length, approximately 2700 words so too large to insert as an appendix. It can be accessed at David's website: <http://davidbmacdonald.com/>

We asked elected officials the extent to which they are conversant with the UNGC, with the history of the IRS, while gauging their opinion on whether or not genocide and/or cultural genocide was committed and what forms of reconciliation should be pursued. Intrinsic to reconciliation, we argue, is institutional reconciliation, which could be expressed in forms of Aboriginal political and cultural representation in existing institutions or in the formation of new institutions. Our interest in conducting this survey was as follows:

- First, to ask a range of questions designed to see if elected officials are open (in principle) to changing the political status quo: in terms of the voting structure, institutional design, linguistic adaption, quotas for women or Aboriginal people, and a range of other correlated issues.
- Second, to explore their reactions to recent federal overtures to Aboriginal people (apology, compensation, etc), and to gauge whether these overtures are sufficient to provide the basis for conciliation between Aboriginal peoples and Euro-Canadian settler populations.
- Third, to gauge to what extent elected officials are conversant with the UNGC, with the 1947 UNGC draft which included cultural genocide, and with other international laws pertaining to the rights of victimized groups and indigenous peoples. This section will also require them to decide (based on their knowledge of Aboriginal history and the IRS system) whether they feel either genocide or cultural genocide was committed in Canada.

NB: this paper is in its early stages of development and is very much a draft. As well, while the survey was lengthy and quite comprehensive, it is well beyond the limits of this paper to discuss

all aspects of the survey or its results. We will therefore confine ourselves to some salient points, and save other aspects for later conference papers.

We begin with a brief background to the Indian Residential Schools, move to a discussion of genocide and cultural genocide, discuss the survey, and then analyze the responses we received, using both quantitative and qualitative methods. As we later note, the low response rate of our web-based survey requires us to explore reasons for why some 90% of elected officials in our sample population chose not to participate. We discuss ways we can improve our response rate in our second survey, which we plan to launch later this summer. Despite the response rate, we have gained valuable insight into the views of elected officials in Canada, having received substantive written comments from across the country, as well as a wide range of quantitative responses.

### **A Brief Contextual Overview: Indian Residential Schools**

Established under the auspices of the British North America Act (1867), the federal creation of the IRS system was strongly influenced by the US example. Aboriginal education was first conceived in partially benign paternalistic terms: helping Aboriginal people to better adapt to their inevitable submergence in a European-dominated country. For many interested in western education for Aboriginal peoples, submergence and assimilation were considered better options to outright disappearance, which others feared was the fate of Aboriginal peoples in the wake of European colonialism.<sup>1</sup> This early focus soon gave way to a far more coercive system which entailed forced assimilation and cultural destruction. Residential schools were located off-reserve and children were separated from their families. Miller notes how parents often strongly

disapproved of the schools' "aggressively assimilative practices", and noted that these were "extremely dangerous places for young people", where diet and medical care were inadequate, discipline was harsh, verbal, physical and sexual abuse were not uncommon, while "disease and death were ever-present dangers".<sup>2</sup>

The federal government worked closely with mainline Canadian churches. The Catholic Church ran approximately 60% of the schools, the Anglicans about 30%, with the Presbyterian, Methodist, and United Churches running most of the remainder. Until the 1950s, attendance for children aged five to sixteen was compulsory.<sup>3</sup> At least 150,000 children passed through 125 schools. Of these there are approximately 80,000 survivors alive today. As deputy minister of Indian Affairs Duncan Campbell Scott argued in 1920, in an oft quoted passage which is often represented as an intention to destroy Aboriginal cultures: "I want to get rid of the Indian problem ... Our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politics and there is no Indian question, and no Indian Department..."<sup>4</sup>

The crimes committed within the IRS system came to widespread public attention in 1990 when Assembly of First Nations leader Phil Fontaine publicly declared his history of physical and sexual abuse and encouraged others to come forward with their stories.<sup>5</sup> The five-volume report of the Royal Commission on Aboriginal Peoples in 1996 highlighted four main types of harms committed during the colonization process. The first of these concerned the physical and sexual abuse in Residential Schools (as well as their goals of assimilation and cultural destruction). The report clearly stated problems of neglect, under-funding, and widespread abuse, as well as the "very high death rate" from tuberculosis, "overcrowding, lack of care and cleanliness and poor

sanitation.” Overall, the Report was a damning indictment of the government’s treatment of Aboriginal peoples.<sup>6</sup>

In 1998, the federal government released a “Statement of Reconciliation”, accompanied by a \$350 million “Healing Fund”. Churches involved had submitted apologies much earlier, beginning in 1986, with the United Church. In 2008, Prime Minister Harper formally apologized in Parliament, regretting that “mistakes” had been made, although he failed to reflect on the wider colonial social and institutional context which made the IRS possible. “Common experience payments” soon followed, as well as an Independent Assessment Process, designed to compensate survivors. Since 2009 the Truth and Reconciliation Commission (TRC) has been investigating the staggering array of crimes committed against several generations of young Aboriginal children in Canada’s extensive network of residential schools. Within its ambit are important nation-defining questions about the nature of restorative justice, indigenous self-government, and genocide.

### **Genocide and Cultural Genocide**

Both genocide and cultural genocide are enjoying widespread use in public discourse surrounding the IRS system and its legacies. At the TRC Forum in Vancouver in March 2011, some TRC officials, including Commissioner Wilton Littlechild, and invited speakers like Stephen Smith of the Shoah Foundation, argued that genocide merited close attention as a descriptor for what happened in the IRS system. Speakers pointed to Section 2(e) of the UN Genocide Convention which refers to the forced transfer of children from one group to another.<sup>7</sup> Later that year, TRC Chief Commissioner Murray Sinclair argued on the CBC television

documentary series 8<sup>th</sup> Fire that genocide had been committed.<sup>8</sup> He later said said: “the reality is that to take children away and to place them with another group in society for the purpose of racial indoctrination was -- and is -- an act of genocide and it occurs all around the world.”<sup>9</sup> AFN Grand Chief Shawn Atleo made a similar argument, saying “I, along with so many of our people, feel if you consider what the term genocide means ... It references to the killing of people. Our people died in residential schools...the residential school was cultural genocide; the attempt to, over the course of history, to kill the Indian in the child. And that has been the experience of our people.”<sup>10</sup> They are hardly alone. A number of academics assert that the UNGC does indeed apply to Aboriginal experiences.<sup>11</sup>

There is a dissonance however with government politicians. Aboriginal Affairs Minister John Duncan in October last year refused to acknowledge the label cultural genocide, instead arguing that they were “education policy gone wrong.” He did acknowledge the following: “Two primary objectives of the residential school system were to remove and isolate children from their homes, families, traditions and cultures, and to assimilate them into the dominant culture.” He went so far as to state that the purpose was to “take the Indian out of the Child” and that had the system continued, it would have had lethal consequences for Aboriginal peoples.<sup>12</sup>

Duncan expresses a dissonance which exists for many people in Canada: while acknowledging some of the individual crimes committed in the IRS system, people are reluctant to use the “G word” to describe them, lest this have legal, economic, or political repercussions. The disjuncture between many Aboriginal leaders and government officials stems from how the nature of IRS harms are interpreted. Many Aboriginal peoples see the crimes in collective terms, crimes

committed with intent to destroy Aboriginal peoples and their cultures, while for many non-Aboriginal peoples, the IRS is seen largely, “as a collection of boarding schools with some abusive teachers,” with the focus placed “only on the incidents that happened at certain schools to certain individuals.”<sup>13</sup>

Our interest is therefore in measuring what elected officials think about this topic. Are their views more in line with the direction of the TRC and AFN, or do they tend to align more with Duncan’s statement from around the same time? Given that both terms are enjoying increasing currency, a key goal of this survey was to gauge the responses of elected officials to claims of both genocide and cultural genocide. Genocide is prohibited in international law by the United Nations Genocide Convention (1948) and Article 2 defines genocide as follows:

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Cultural genocide is not prohibited under the UNGC. In earlier drafts, such as the May 1947 UNGC draft, authored by Lemkin and two others for the UN Secretariat, cultural genocide was one of its three aspects of genocide. The cultural form enumerated five methods of attempting to destroy the specific characteristics of the group as a means of bringing out the group’s destruction, in whole or in part:

- (a) forcible transfer of children to another human group; or
- (b) forced and systematic exile of individuals representing the culture of a group; or
- (c) prohibition of the use of the national language even in private intercourse; or
- (d) systematic destruction of books printed in the national language or of religious works or prohibition of new publications; or
- (e) systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value and of objects used in religious worship.<sup>14</sup>

Of these only (a) survived the vote of the Sixth Committee of the General Assembly. The remaining articles were never adopted.<sup>15</sup> Nevertheless, there is a strong sense that these missing aspects of the UNGC would certainly apply to Aboriginal peoples were the original draft to ever be introduced into international law.<sup>16</sup>

### **Canadian perceptions of Aboriginal Peoples**

This survey was also designed to complement public opinion polls, conducted to assess mainstream views of different racialized minority groups in Canadian society, as well as Aboriginal peoples. In early 2008, Angus Reid Global Monitor conducted a poll to see whether the Canadian government “should follow Australia’s example and offer an apology to its Aboriginal population, according to a poll by Angus Reid Strategies”. Of this, “42 per cent of respondents think an official apology is warranted, while 39 per cent disagree.”<sup>17</sup> Despite divided views on the topic, the Harper government delivered its apology in June, 2008.

In 2010, well after the apology and the CEP process began, an Environics survey conducted in September and October revealed that “47 per cent of Canadians nationally, feel Canada has done

enough to address the wrongs committed against aboriginal peoples. Also, 47 per cent of Canadians nationally said aboriginal peoples deserve an apology or restitution.”<sup>18</sup> The poll also showed a sense of responsibility for the past crimes committed against Aboriginal peoples: “A clear majority (58%) of Canadians believe a current federal government is responsible for addressing human rights violations committed by previous governments. This view is most widely held in Quebec (73%) and the Greater Toronto Area (67%). In contrast, this is the minority view in British Columbia (44%) and Alberta (49%).”<sup>19</sup> A further question concerned whether “the federal government has gone far enough in addressing wrongs committed against Aboriginal peoples.” Indeed: “Close to half (47%) say the government’s recent actions are sufficient, while almost as many (44%) believe it needs to do more.”<sup>20</sup>

Recent data shows that Canadian respondents expressed the lowest levels of positive feelings for Aboriginal peoples, who figured as the least favoured group. For example, a Leger poll of 1,500 respondents, conducted in November 2010 revealed that 84% had favourable perceptions of English Canadians, with immigrants at 70%, French Quebecers at 65% and Aboriginal peoples at 56%. In Alberta, only 45% of respondents had favourable impressions of Aboriginal peoples.<sup>21</sup> These surveys tell us something of public opinion, and imparts the general sense that Canadians are divided on Aboriginal issues, and that in comparison to most other groups in Canada, including new immigrants, Aboriginal peoples are regarded poorly. Such surveys provide snapshots of how “mainstream” Canadians may feel, but of course this tells us little about the attitudes of elected officials. Do they too mirror the views of mainstream Canadians about Aboriginal peoples, the apology for residential schools, and other pressing concerns?

## Representation

Also important was questioning what sort of political representation could help improve Aboriginal political voices in Canada. This has long been of concern for federal and provincial elected officials, as expressed through a range of documents including the Charlottetown Accord and the RCAP. While it is clear that some Aboriginal writers and leaders promote the idea of full Aboriginal self-determination on their own lands,<sup>22</sup> this does not mean Aboriginal peoples could not also seek representation in existing political institutions, especially given the large percentage of urban Aboriginal peoples. This reflects what Murphy calls a “relational model of self-determination,” which can be described as having, “multiple points of access to political power and decision-making.” While autonomous self-government would help some Aboriginal peoples empower themselves, Murphy argues that “indigenous representatives may also need an effective voice in local, regional, and national institutions that have the capacity to influence their individual and collective futures”.<sup>23</sup>

Three main proposals have been advanced over the past two decades: the recommendations of the Royal Commission on Electoral Reform and Party Financing (or RCERPF), those of the Charlottetown Accord, and those of RCAP. The RCERPF, in its final report (1991), recommended creating a series of federal Aboriginal constituencies to be established within existing provincial boundaries. Based on the number of Aboriginal voters in a province, a certain number of seats would be set aside, which was hypothetically projected to be eight seats across the country.<sup>24</sup>

In 1992, had the Charlottetown Accord been approved by Canadians, it would have seen “constitutional recognition of Aboriginal governments as a ‘third order’ within the Canadian federation”.<sup>25</sup> In practice this could have included a role for Aboriginal peoples in appointing judges to the Supreme Court, and created an “Aboriginal Council of Elders to provide guidance to the Supreme Court on cases concerning Aboriginal issues”. Further, a reformed Senate would see guaranteed seats for Aboriginal peoples, although the number of seats was unspecified. Further the Accord recommended the amendment of the constitution to “recognize that the Aboriginal peoples of Canada have an inherent right of self-government within Canada”.<sup>26</sup>

In 1996, RCAP sought to create an entirely new institution, a “House of First Peoples” comprised of between 75-100 Aboriginal representatives, chosen through elections in 60-80 autonomous Aboriginal entities which would each have the right to elect one representative at least, with larger entities allowed more than one representative. While this third order of government would have some power over issues pertaining to Aboriginal peoples, they would lack political power, functioning in an advisory capacity only.<sup>27</sup> To date, none of these proposals have panned out, but we wanted to see what level of support exists for Aboriginal representation now. Specifically we only asked about RCAP recommendations, and added to this the example of New Zealand with its guaranteed Maori (indigenous) seats in its unicameral legislature.

### **Race and Gender Variables**

Our survey featured a section dealing with attitudes towards race and gender, to determine whether attitudes to Aboriginal representation are correlated with attitudes towards women and racialized minorities. While we note that these “Charter groups” are legally and historically very

different from Aboriginal peoples, we nevertheless wanted to explore whether there were similarities in perceptions about the desirability of female representation and Aboriginal representation. Our question here tied in with Jane Mansbridge's work on representation. Aside from promissory representation (elected officials fulfilling promises made to the electorate) and anticipatory representation (seeking to appease future voters), elected officials can also be seen through forms of gyroscopic representation, where "Voters select representatives who can be expected to act in ways the voter approves without external incentives," that is people that are deemed to think and react as they would,<sup>28</sup> and Surrogate Representation, where a representative who shares a common gender, ethnic tie, or sexual orientation with members of electorate is seen to represent their interests, even if this is "a representative with whom one has no electoral relationship – that is, a representative in another district".<sup>29</sup>

### **Aboriginal symbolism**

In 2005, the Prime Minister Paul Martin did a smudging ceremony in the House of Commons. Elder Elmer Courchene of the Sagkeeng first nation, performed the ceremony. Martin argues that he wanted it to be more than "just symbolism". He writes in his memoirs that "I wanted Aboriginal Canadians to see that they were an integral and important part of our society", in a relationship based on "partnership". Martin recounts how in the aftermath of the smudging, he received "hundreds of appreciative letters" from Aboriginal school children.<sup>§</sup> Martin's short premiership was far from ideal, mired by scandal. But in this one respect at least, his leadership marks an important symbolic contribution to reconciliation. We wanted to know if there was much support for introducing Aboriginal symbols and ceremonies into our existing European derived institutions.

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<sup>§</sup> Martin 2008 256-7

## Survey Procedure

Going into this process, we did not generate detailed hypotheses, seeking rather to use the survey to generate data rather than using it to falsify hypotheses we had gained from a wider literature. Nevertheless, we went into the survey with certain assumptions, primarily that more left leaning parties like the NDP and potentially the Liberals would be more sympathetic to the idea that genocide and/or cultural genocide was committed in the IRS system. We also felt that these parties would be more likely to support a House of First peoples, guaranteed Aboriginal representation, and other factors, while more right of centre parties like the Conservative, PC and Saskatchewan Party representatives would be less likely to support these sorts of changes to status quo attitudes or institutions. This was based on our continuous analysis of media reports of the major parties before, during and after the federal elections, regular engagement with online and television news sources, as well as consultation of party political platforms.<sup>30</sup> We created a research ethics proposal which was “cleared” by the University of Guelph ethics review board in mid-2011. Once we had the final questions completed, we engaged the services of a translation company to ensure that the survey would be fully available in both official languages.

We sent three separate survey requests via e-mail to every elected official with an identifiable e-mail address in the House of Commons, the Senate and every Provincial and Territorial Assembly or Legislature. We requested that the official follow the link to our web survey. The Table in Appendix 1 lists the dates in which the e-mails were sent to each legislature. While it would have been more methodologically sound to deploy every survey on the same date, due to

time constraints this was not an option. We calculated that personalizing each e-mail would lead to a higher response rate than a simple deployment of a single e-mail to each legislature.

Separate surveys were created for each legislature or assembly, as some legislatures maintained different party names, and Nunavut does not have any political parties. In an effort to ensure the highest potential response rate we attempted to ensure that the surveys were unproblematic to complete. In attempting to maintain methodological consistency, with the exception of divergent party names, every survey was identical in both the wording and ordering of the questions. Every e-mail contained a brief description of the survey's intent and the survey itself, the composition of the research team and a guarantee that all survey results would remain confidential. The e-mails were sent with both English and French translations. Nearly identical e-mails were sent to every official in each subsequent round of survey deployment, with the exception of those who had previously indicated that they were either not interested in completing or had already completed the survey.

### **Response**

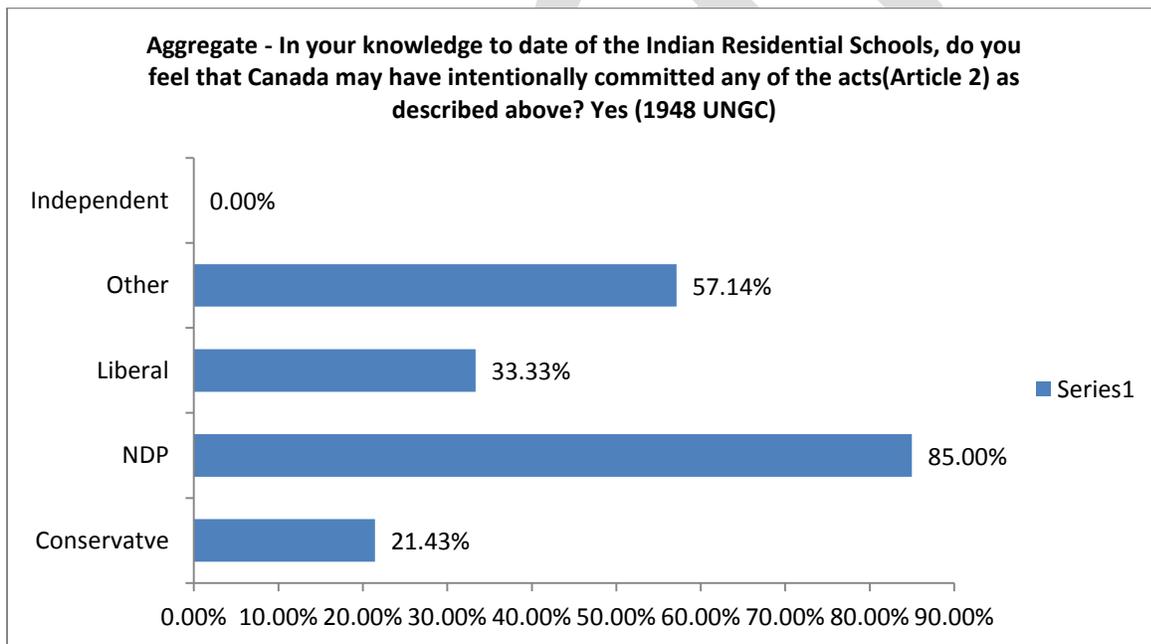
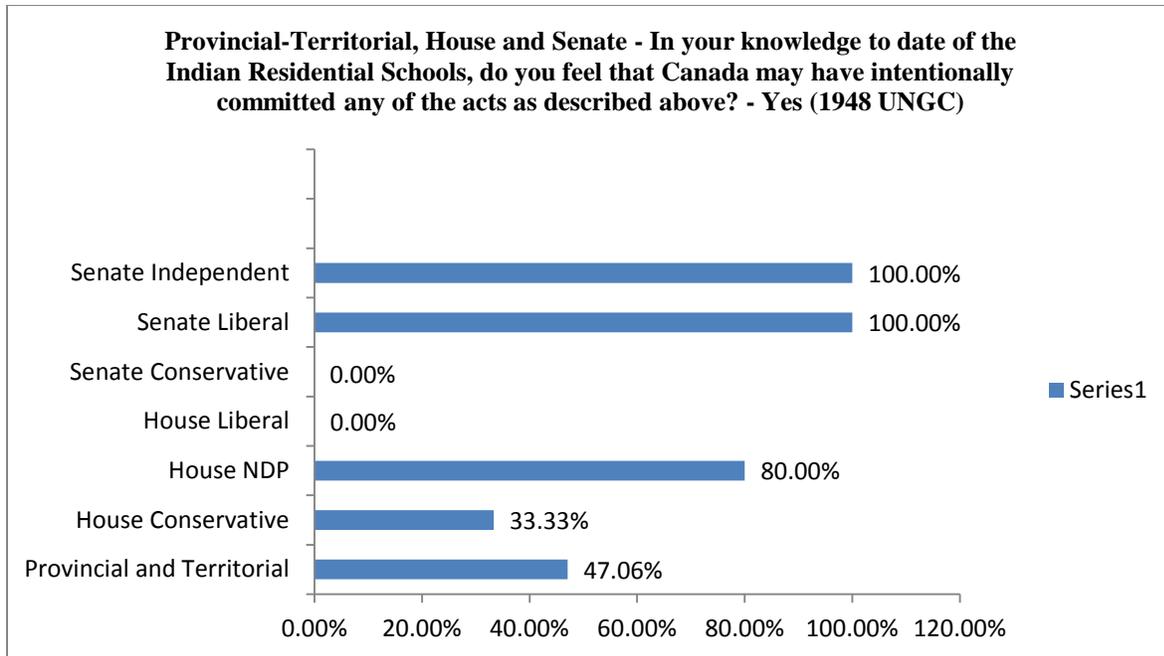
A total of 1149 elected officials were contacted to complete the survey: 442 Conservatives, 244 NDP, 305 Liberals, 151 'other,' and 7 Independent officials. We received the highest response rate from the Independents with 28.57%. This was followed by the NDP with 12.7%, the Liberals with 4.92%, 'Other' parties with 4.64% and the Conservatives with 4.3%. This was unsurprising as other studies which have surveyed Canadian political parties have received a higher response rate from the NDP than other parties.<sup>31</sup>

Out of those officials contacted, 119 followed the link to complete the survey, giving us a response rate of 10.45%. The response rate drops lower when incorporating the fact that 67 of the 119 responses were incomplete, leaving complete response rate at 4.65% while 52 complete responses did contain at least some answers to the survey questions posed. The response rate for the survey lies somewhere between 4.65% and 10.45%, with various questions receiving a higher response rate than others. As revealed below, many of the respondents chose to exit the survey at different points, therefore giving us a somewhat higher response rate than revealed by the statistics.

It is also important to note that while the response rate was quite low, especially compared to other studies which utilized mail-in packages, when we consider the fact that mail-in surveys tend to receive twenty-one% higher response rates than web surveys,<sup>32</sup> and that other mail-in surveys to elected officials have gained a thirty-six%<sup>33</sup> response rate, then a 10.35% (total) and a 4.65 (complete) response rate still allows us to make some tentative conclusions, especially when paired with the qualitative data we obtained from comments.

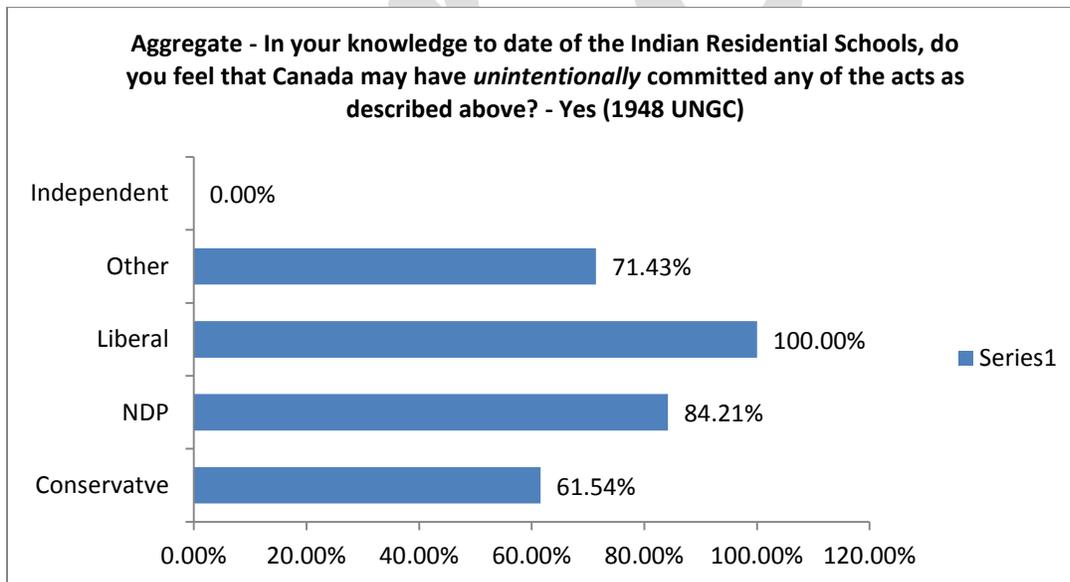
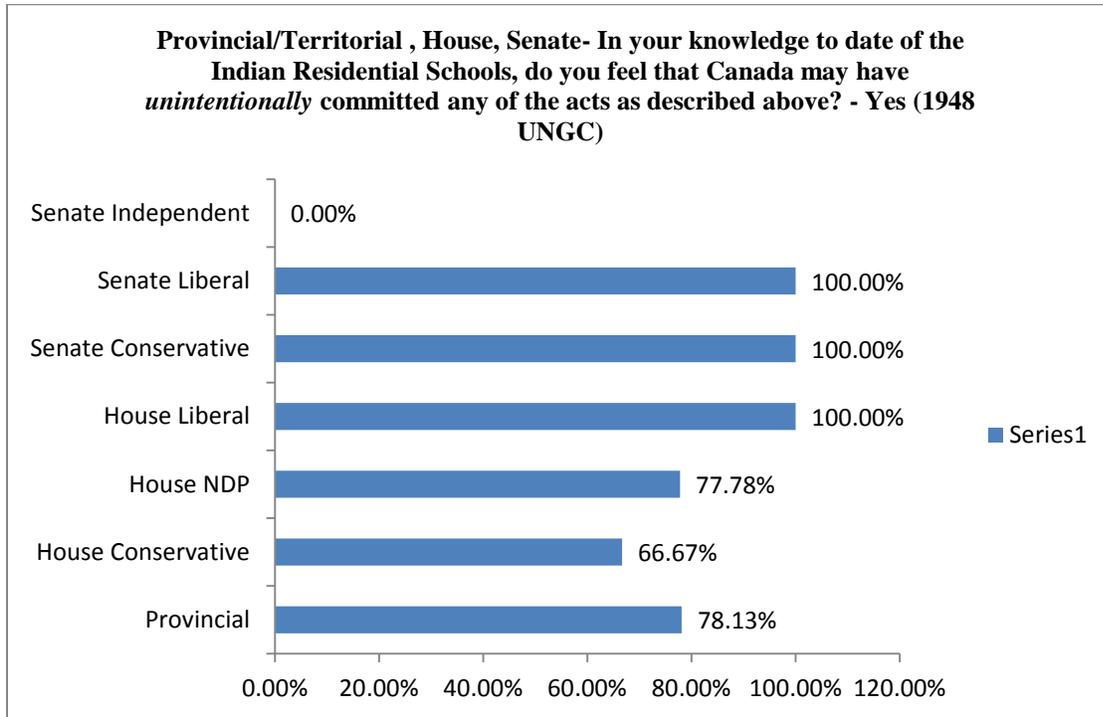
### **Does the UNGC 1948 Apply in Canada?**

Respondents were asked whether or not they agreed that Canada, via the IRS system, *intentionally* violated the 1948 version of the UNGC. 33.33% of House Conservatives, 100% of Senate Conservatives, 80% of House NDP, 0% of House Liberals, 100% of Senate Liberals and 47.06% of Provincial/Territorial respondents agreed that it did. In the aggregate, 21.43% of Conservatives, 85% of NDP, 33.33% of Liberal respondents, 57.14% of 'other' respondents also agreed that it did. Please see the following tables below:



When asked whether Canada *unintentionally* violated the 1948 version of the UNGC, 66.67% of House Conservatives, 100% of Senate Conservatives, 77.78% of House NDP, 100% of House Liberal Respondents, 100% of Senate Liberals, 0% of Senate Independents and 78.13% of Provincial/Territorial respondents agreed. In the aggregate, 61.54% of Conservatives, 84.21% of

NDP respondents 100% of Liberal respondents, 71.3% of ‘other’ respondents and stated that Canadian unintentionally violated the 1948 version of the UNGC. Please see the tables below:



A sampling of the written comments gives a sense of how attitudes were related to party. For example, NDP respondents from both federal and provincial legislatures recognized intentional

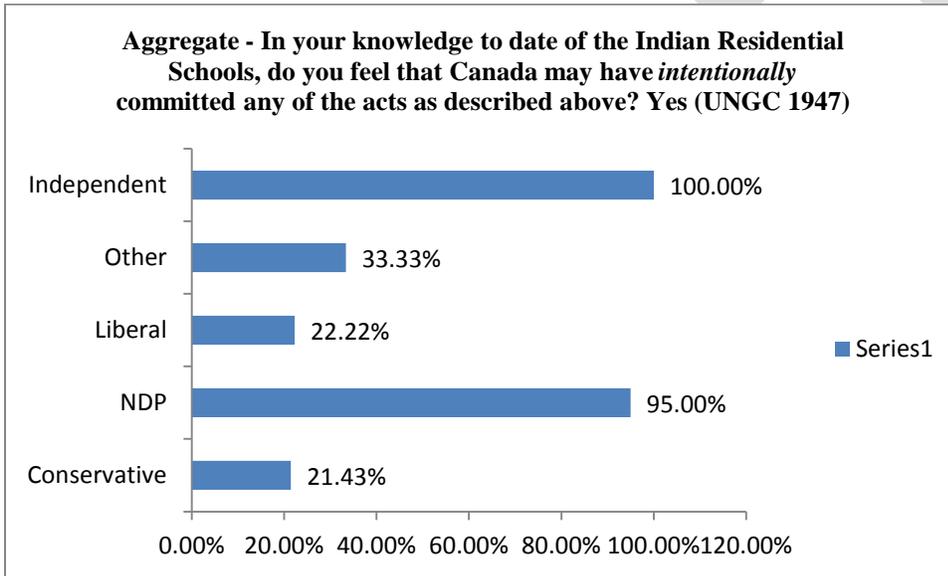
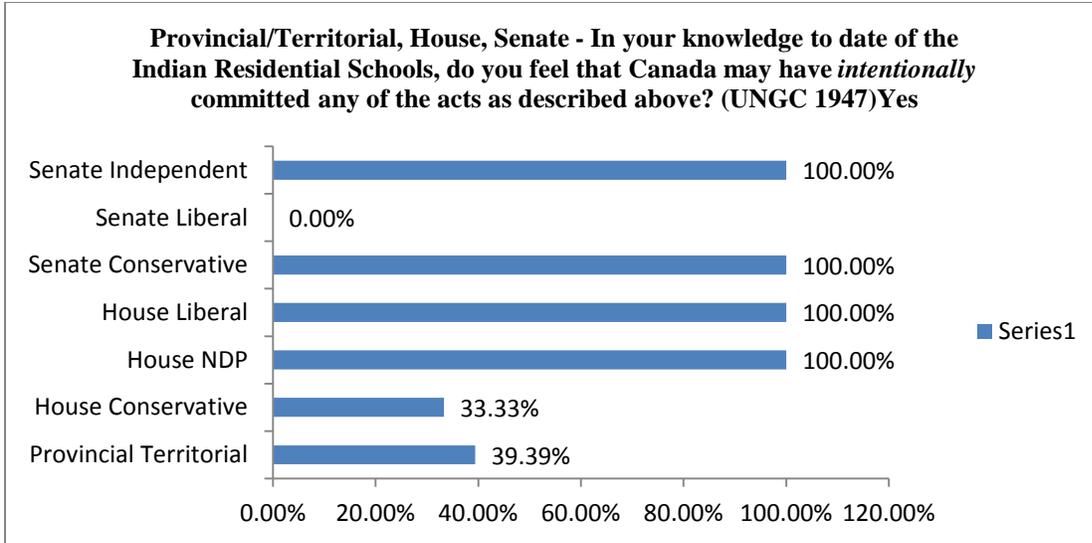
genocide. A federal NDP MP used the term “intentional acts”, while a Nova Scotia provincial NDP respondent argued, “What we did was intentional,” a view echoed by a Manitoba provincial NDP respondent who wrote, “Genocide & Ethnocide were the orders of the day, plain and simple.” A Nova Scotia provincial Liberal respondent articulated a more circumspect opinion, writing: “I think for some it may have been unintentional and for others it was seen as very deliberate - residential schools took children out of their cultural environment and away from [sic.] their families and allowed the state to determine what the children were taught and how they saw the world. The outcome is a loss of identity and disconnect from their culture that has been devastating to future generations of first nations people. I think it was both intentional and unintentional.”

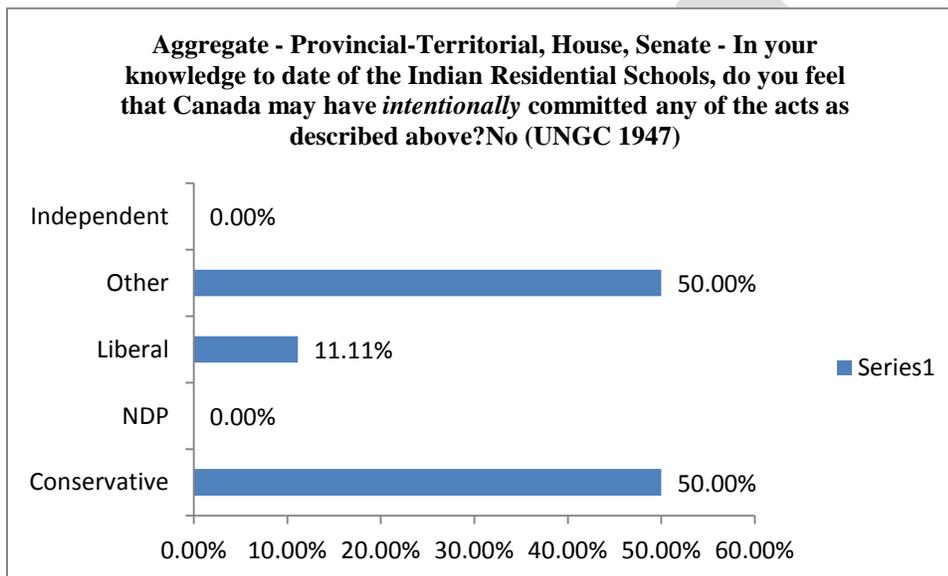
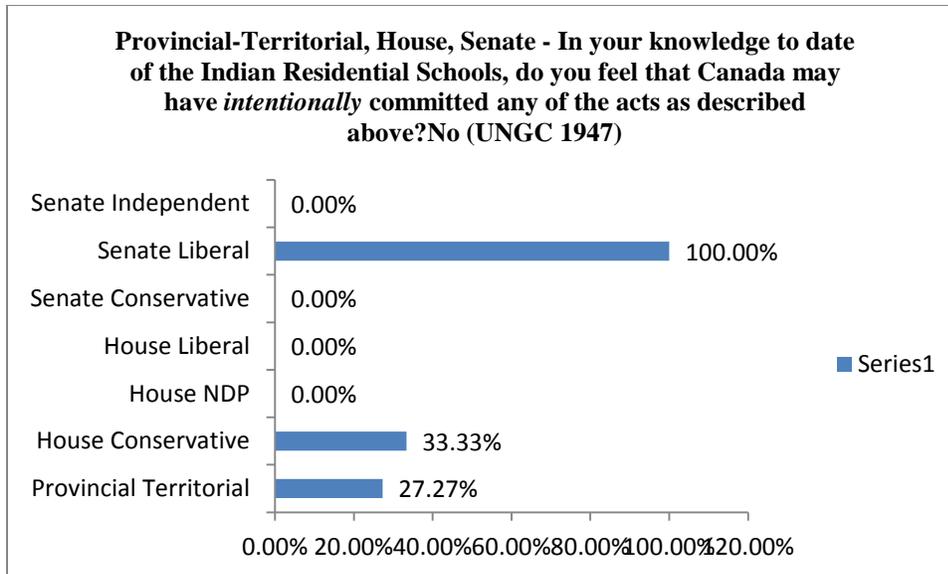
Right of centre responses were more critical of applying the UNGC. A Saskatchewan Party respondent observed: “I am not sure that it is beneficial to go back in history and try [sic.] to rewrite it. It would seem to me to understand the past, identify the problems caused by the past and work with the First Nations to mitigate the damage and move forward from here. I believe the [sic.] apology and the payments and the hearings that are ongoing are very useful in the understanding of the damage caused but by trying to prove the legality of the past, we are taking resources away from the need for help today.” Here there was support for the federal government’s reconciliation agenda, as well as questioning of whether the limited resources available for healing should also be devoted to investigating past abuses. An Alberta Conservative respondent was blunt, focusing on individual crimes: “A few overzealous priests and nuns may have committed some of these acts but don't hang it on the government.”

Generally, there seemed to be little *modus vivendi* between parties on this issue, and the differences between intentional and unintentional genocide were interesting. NDP respondents were far more likely to see genocide as intentional, and were less supportive of the idea of genocide by accident or as an inadvertent consequence of the residential schools, while for Conservatives and Liberals it was the reverse.

### **Does the UNGC 1947 Draft with Cultural Genocide Apply in Canada?**

Respondents were then asked whether or not they agree that Canada, via the IRS system, intentionally violated the 1947 version of the UNGC which included cultural genocide. 33.33% of House Conservatives, 100% of Conservative Senators, 100% of House NDP, 100% of House Liberals, 100% of Senate Independent agreed that Canada did violate the 1947 version of the UNGC. As for the Provincial/Territorial Legislatures, “39.39% of Provincial/Territorial respondents agreed that Canada did violate the 1947 version of the UNGC.” In the aggregate 21.43% of Conservatives, 95% of NDP, 22.22% of Liberals, 33.33% of ‘other’ respondents and 100% of Independent respondents also agreed that it did. In contrast, 33.33% of House Conservatives, 100% of Liberal Senators and 27.27 % of Provincial/Territorial respondents agreed that Canada did not intentionally violate the 1947 version of the UNGC. In the aggregate, 50% of Conservative, 11.11% of Liberal and 50% of ‘other’ respondents agreed that Canada did not intentionally violate the 1947 version of the UNGC. Please see the following Tables:

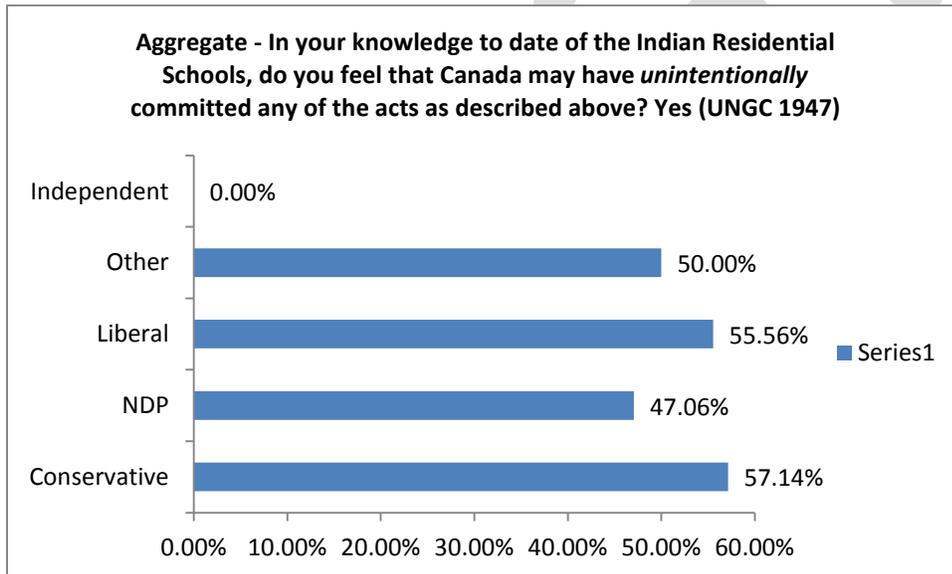
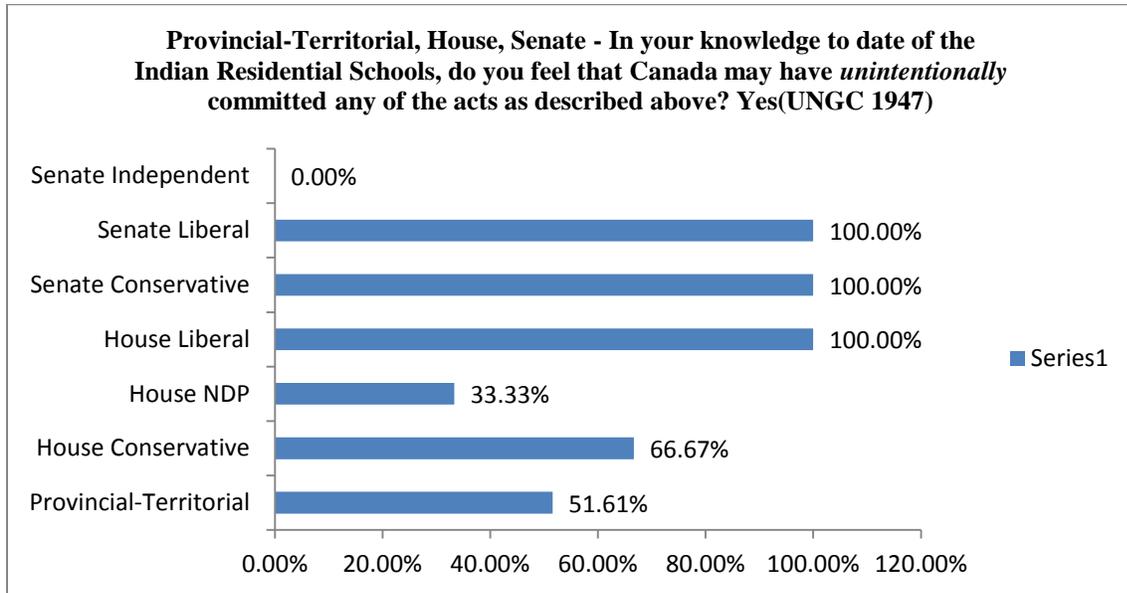


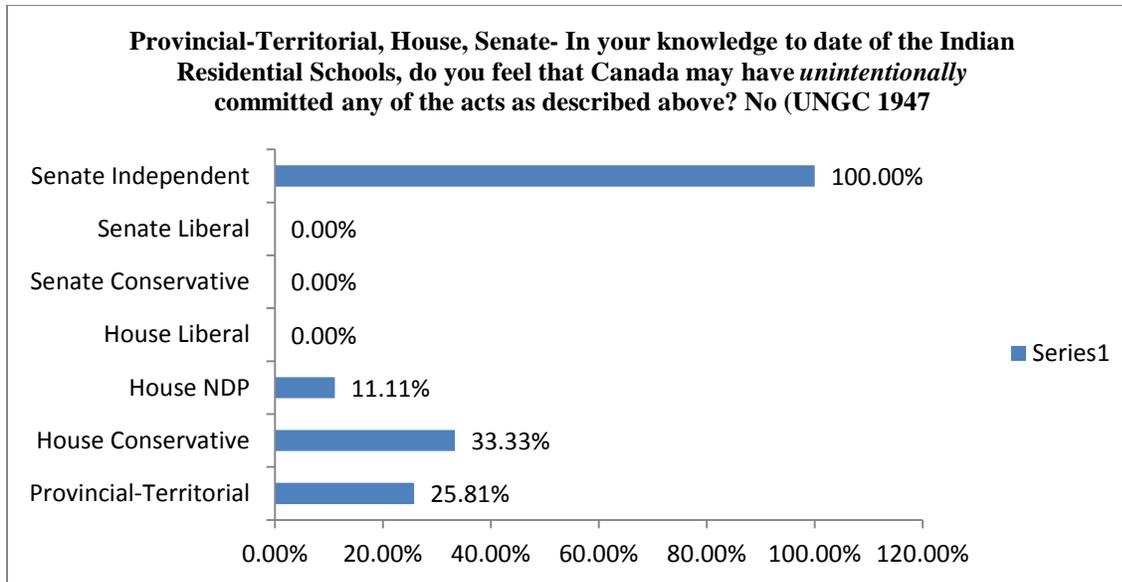


Respondents were then asked if Canada *unintentionally* violated the 1947 version of the UNGC. 66.67% of House Conservatives, 100% of Senate Conservatives, 33.33% of House NDP, 100% of House Liberals, 100% of Senate Liberals and 51.61% of Provincial/Territorial respondents agreed that Canada did unintentionally violate the 1947 version of the UNGC. In the aggregate, 57.14% of Conservatives, 47.06% of NDP, 55.56% of Liberals and 50% of ‘other’ respondents also agreed that it did. In contrast, 33.33% of House Conservatives, 11.11% of House NDP, 0% of House Liberals, 100% of Senate Independents and 25.81% of Provincial/Territorial

respondents stated that Canada did not unintentionally violate the 1947 version of the UNGC.

Please see the following Tables:





We have no comments from right of centre parties, but left of centre respondents like the NDP were clear that the draft version was also violated. For example, a Manitoba NDP respondent argued: “Just because it was carried out by well-intentioned folks who wrapped themselves up in their religious beliefs, doesn't make them any less guilty. If anything it is worse - as what occurred in Residential Schools certainly would not qualify as ‘What would Jesus Do’.” A Yukon NDP respondent provided a more nuanced assessment, writing: “I am aware of the documented comments by Duncan Campbell Scott outlining his overall views about essentially wiping the Indian-ness out of Indians.. However, I also think that many ordinary people worked in residential schools who did not share the genocidal [goal/mentality].”

### **Do you Support a House of First Peoples?**

There was a wide divergence of opinions by party over a separate elected body for Aboriginal Peoples at the federal level. While the majority of Conservatives, 55.6%, “fully rejected” a House of First Peoples, a majority of the NDP, 77.78%, “fully supported” it. In the House, 100% of Conservatives “neither supported nor rejected” a House of First Peoples. In contrast, 15.38%

of NDP respondents “fully supported”, 69.23% “partially supported”, and 15.38% “neither supported nor rejected” a House of First Peoples. House Liberals did not answer the question. 50% of Conservative Senators “partially supported” and 50% “neither supported nor rejected”, while 100% of Liberal Senators “partially supported”. Out of the Provincial/Territorial respondents irrespective of party, 18.42% “fully supported”, 21.05% “partially supported”, and 28.95% “neither supported nor rejected”, 10.53% “partially rejected” and 21.05% “fully rejected” a House of First Peoples.

Generally, comments were negative across the board, yet were negative for different reasons. A British Columbia NDP respondent felt that such a move would impart only the illusion of political power: “Without a doubt the voice of First Nations people needs to be better reflected in the development of public policy, but unless the House of First Peoples has real authority (legislative and spending) it could become symbolic only, and thus perhaps contrary to its intended purpose.” Liberals and Conservatives rejected the idea for other more ideological reasons, less concerned with power sharing, far more with small 1 liberal equality and integration. An Alberta Conservative respondent dismissed a House of First Peoples as “A racist and ridiculous idea; we are all Canadians, of equal rights and responsibilities, regardless of ethnicity or ancestry; or whether we are new Canadians or have a long family lineage as Canadians”, while a Saskatchewan Party respondent argued, “We are all Canadians and should be represented by one government.” This was similar to the views of a Nova Scotia Liberal respondent who argued, “I believe in a fully integrated society and if we are as a nation to reach our full potential it will be on the strength of seeing ourselves as one nation.”

Taken in conjunction with the data listed above, it is clear that while the Conservatives were less likely to agree that Canada did intentionally violate the 1947/1948 UNGC they were also less likely to support a House of First Peoples. The situation is reversed for the NDP, as they are more likely to state that Canada did violate the 1947/1948 UNGC, they are also more likely to support a House of First Peoples. The Provincial/Territorial respondents appeared more likely than not to support a House of First Peoples.

### **Guaranteed Seats in the House of Commons**

The party patterns exhibited in the questions pertaining to whether or not respondents supported guaranteed seats for Aboriginal Peoples in the House of Commons were similar, albeit more positive, than those questions asking about support for a House of First Peoples. Respondents were asked, “In principle how would you feel about the concept of guaranteed Aboriginal seats in the federal House of Commons?” 35.14% of House Conservatives “fully supported”, 32.43% “partially supported”, 10.81% “neither supported nor rejected”, 5.41% “partially rejected” and 16.2% “fully rejected” guaranteed Aboriginal seats in the House of Commons. 100% of House Liberals “partially supported” guaranteed seats. 38.46% of House NDP “fully supported”, 38.46% “partially supported”, 15.38% “neither supported nor rejected”, 7.69% “partially rejected” and 0% “fully rejected” guaranteed seats for Aboriginals in the House of Commons. 50% of Senate Conservatives “neither supported nor rejected” and 50% “fully rejected” guaranteed Aboriginal seats in the House of Commons. 100% of Senate Liberal respondents “fully supported”, while 100% of Senate Independent respondents “partially supported” guaranteed Aboriginal seats.

In the aggregate, 7.14% of Conservative respondents, 46.14% of NDP respondents, 50% of Liberal responses and 16.67% of 'other' responses "fully supported" guaranteed seats for Aboriginal peoples in the House of Commons. 21.43% of Conservatives, 42.31% of NDP, 20% of Liberal, 66.67% of 'other' and 100% of Independent respondents "partially supported" guaranteed Aboriginal seats. 21.43% of Conservative, 7.69% of NDP, 10% of Liberal and 16.67% of 'other' respondents "neither supported nor rejected" guaranteed Aboriginal seats in the House of Commons. 14.29% of Conservative and 3.85% of NDP "partially rejected" guaranteed Aboriginal seats. 35.71% of Conservative respondents and 20% of Liberal respondents "fully rejected" guaranteed Aboriginal seats in the House of Commons.

As per the Provincial/Territorial respondents irrespective of party, 35.14% "fully supported", 32.43% "partially supported", 10.81% "neither supported nor rejected", 5.41% "partially rejected" and 16.22% "fully rejected" Guaranteed Aboriginal seats in the House of Commons. While there is obviously a greater willingness on the part of respondents to support guaranteed Aboriginal seats in the House of Commons, the pattern by party continues. Conservatives continue to be less likely to support reform of the existing institutional arrangements than the NDP.

### **Guaranteed Seats in the Senate**

While the NDP was still more likely to support institutional change in Senate than their Conservative counterparts, their support was substantially less prevalent than their support for other institutional changes. This is most likely a result of the NDP's stance that the Senate should be abolished, which was reflected in numerous comments. Respondents were asked, "In

principle how would you feel about the concept of guaranteed Aboriginal seats in the federal Senate?" 66.67% of House Conservatives "partially supported" and 33% "neither supported nor rejected" guaranteed Aboriginal seats in the Senate. 33.36% of House NDP "fully supported", 27.27 "partially supported" and 36.36% "neither supported nor rejected" guaranteed seats in the Senate. 100% of House Liberals "fully supported" guaranteed Aboriginal seats in the Senate.

50% of Senate Conservatives "partially supported" and 50% "neither rejected nor supported" guaranteed seats in the Senate. 100% of Senate Liberals "fully supported", while 100% of Independent respondents "partially supported" guaranteed Aboriginal seats in the Senate. In the aggregate, 6.67% of Conservatives, 38.1% of NDP, 50% of Liberal and 14.29% of 'other' respondents "fully supported" guaranteed Aboriginal seats in the Senate. 33.33% of Conservatives, 14.29% of NDP, 20% of Liberals, 71.43% of 'other' and 100% of Independents "partially supported" guaranteed seats. 26.67% of Conservatives, 42.86% of NDP, 10% of Liberals and 14.29% of 'other' responses "neither supported nor rejected" guaranteed Aboriginal seats in the Senate. 6.67% of Conservative respondents "partially rejected" guaranteed Aboriginal seats. 26.67% of Conservatives, 4.76% of NDP and 20% of Liberal respondents "fully rejected" guaranteed Aboriginal seats in the Senate. As for Provincial/Territorial respondents, 25.71% "fully supported", 25.71 "partially supported", 25.71% "neither supported nor rejected", 2.86% "partially rejected" and 20% "fully rejected" Aboriginal seats in the Senate.

Generally, respondents at both the federal and provincial levels did not take a strong stand on this issue, offering fairly nuanced conclusions. For example, a British Columbia NDP respondent said: "I have a problem equating a seat here and there with any recognizable "power". Under our

current system it would be symbolic (and maybe there's nothing wrong with that on a certain level).” Many provincial respondents felt the matter was up to Aboriginal peoples to decide, although there was not much enthusiasm. For example, a Nova Scotia Conservative respondent argued: “Let them decide (aboriginal government seems to be their preference). I believe their voice would become swallowed amongst all the others. I do not believe in minority representative seats (they are being removed in Nova Scotia).” A Nova Scotia Liberal respondent argued: “This is only a good idea IF the aboriginal communities want it. Right now I have the impression that aboriginal communities are not very interested in our current government - either provincial or federal. I understand that NS has a designated aboriginal seat in our legislature but it has never been filled because the first nations people have not sought to do so and have not agreed on whether or not it is a good idea.” A Nova Scotia NDP respondent had similar views: “I feel that if this is what the People want then I am okay with it. However, I do not think that Aboriginal seats would be a choice that the People would opt for if they had the right to have their own House of First Peoples.”

### **Institutional Change**

The divergence of party opinions regarding institutional change is mirrored when considering institutional change for women. Respondents were asked, “In principle how would you feel about the concept of a quota of at least 40% for women in the federal House of Commons?” 100% of House Conservatives, 50% of Senate Conservatives, and 100% of Senate Independents “fully rejected” creating a quota for women in the House of Commons. In contrast, 41.67% and 50% of House NDP “fully supported” and “partially supported”, respectively, a quota for women

in the House of Commons. 50% of Senate Conservatives “fully supported” a quota. 100% of House Liberals “partially supported” a quota.

These percentages are further mirrored when considering the aggregate percentage of responses by Party. 6.25% of Conservatives, 28% of NDP, 20% of Liberal and 14.29% of ‘Other’ respondents “fully supported” a quota in the House Commons for Women. 6.25% of Conservative, 52% of NDP, 50% of Liberal and 28.57% of ‘Other’ respondents were willing to Partially Support a quota. 12.5% of Conservatives, 8% of NDP and 10% of Liberals “neither supported nor rejected” a quota. 4% of NDP and 14.29% of ‘Other’ respondents “partially rejected” the Separate House. 75% of Conservative respondents, 8% of NDP respondents, 20% of Liberal respondents, 42.86% of ‘Other’ respondents and 100% of Independent respondents “fully rejected” a quota for women in the House of Commons.

As for the Provincial/Territorial respondents, those surveyed were split almost evenly: 12.82% “fully supported”, 33.33% “partially supported”, 10.26% “neither supported nor rejected”, 5.13% “partially rejected” and 38.46% of respondents “fully rejected” a quota for women in the House of Commons. There are clear patterns to party responses at the Federal level and in the aggregate. While the Conservatives are less willing to support any type of the institutional change, the NDP are much more willing to at least partially, if not fully, support institutional change for both Aboriginal People and for women.

### **Web Surveys Versus Other Techniques of Data Collection**

A prominent issue involved in conducting survey research is the different types available, such as telephone surveys, face-to-face surveys, mail-based surveys, interviews and e-mail or web surveys and various types of mixed-surveys.<sup>34</sup> The use of web surveys poses many cost and time advantages for researchers. As noted by Dillman, and reiterated by Singleton and Straits, the use of web surveys decreases the cost of administering survey questionnaires compared to that of traditional telephone or mail-in surveys.<sup>35</sup> Sheehan, Bartel and McMillan reiterate the benefits of utilizing web surveys, which include “cost savings from elimination or reduction of paper costs and mailing costs ...and the rapid speed of response”<sup>36</sup> In addition to both the cost and time benefits, Kwak and Radler found that web surveys tend to be completed, “...more than four times faster than... mail survey[s].”<sup>37</sup> The research clearly indicates there are both time and cost benefits inherent in the utilization of web surveys.

Although web surveys are relatively quicker and more cost efficient than face-to-face, telephone or paper surveys, they suffer from disadvantages that others do not. A prominent disadvantage is that they tend to suffer from lower response rates than their counterparts.<sup>38</sup>

One explanation relates to individuals' access to the internet,<sup>39</sup> although given that elected officials have paid access to the internet, this limitation most likely does not pertain here. A second potential and more likely reason for the lower response rate for web surveys relates to concerns about confidentiality. As argued by Shannon and Bradshaw, “...because electronic responses typically contain identifying information such as an e-mail address, potential respondents may have increased concerns regarding their anonymity and privacy.”<sup>40</sup> Frippiat, Marquis and Wiles-Portier reiterate: “With printed surveys, individuals feel themselves to be in

control of the information they are divulging, whereas they are less certain about just how much may be gleaned from them in a Web survey without their knowledge, given the increasingly complex technical procedures involved.”<sup>41</sup> Given the sensitivity of particular issues it is plausible that elected officials might be wary of the potential of their names being disclosed despite the researcher’s assurances that the study will be conducted in an ethical manner.

A third potential reason for the lower response rate for web surveys is that of a lack of experience with technology, which again is not persuasive in the cohort we have targeted for the survey.<sup>42</sup>

While there is a dearth of information regarding the use of web surveys to poll elected officials, the use of mail-in surveys has been widely used in the past. Indeed, Garret and Jenson’s study sought to find, “...how elected officials’ interactions with neighborhood groups, business interests, issue groups, and other stakeholders are shaped by their use of the Internet and by characteristics of local e-government infrastructure.”<sup>43</sup> Their paper survey, “... was mailed to 950 elected officials (after replacements) in 316 cities. Of these, 348 individuals responded to the survey, resulting in a 36.6% response rate.” Cross and Young found a similar response rate when they attempted to uncover policy attitudes of Canadian political party members in March 2000, with an overall response rate of thirty-six%.<sup>44</sup> If we yield the notion that web surveys tend to suffer a lower response rate relative to their counterparts by as much as twenty-one%,<sup>45</sup> then a web survey sent to elected officials which yields a response rate close to the fifteen-percent range can still be considered usable.

As demonstrated by Frippiat et al., there is an abundance of papers entirely devoted to the use of various types of surveys: “By the end of 2009, for instance, the WebSM Website listed nearly 4,000 articles, book chapters and conference working documents dealing either directly or indirectly with Web survey methodology”<sup>46</sup>

Of the reasons for the low response rate in web surveys, we feel that the issue of confidentiality might be the most pressing. Given that e-mail and web surveys retain some potentially identifying information (IP address, location, etc) it is plausible that the respondent might not feel assured that his or her identity will be kept confidential.

Despite this seemingly low response rate we attempted to design the survey to obtain an abundance of data from those who did respond. In addition to enabling respondents to indicate their support for a particular issue in a broad range of degrees (e.g. Fully Support, Partially Support, Neither Support nor Reject, Partially Reject and Fully Reject) we also included a qualitative dimension to the survey. For the Institutional Reform, IRS and UNGC questions we asked the respondents to provide more detailed comments on the reasons for their level of support. Despite the survey’s low response rate we were able to gather 316 separate comments on officials’ support (or lack thereof) for the various issues discussed in the survey. Thus while some purely quantitative mail-in surveys might gain from a higher response rate and therefore be more adept to make correlational statements, this survey was partially enhanced by its ability to incorporate both quantitative and qualitative data from public officials.

In addition to concerns about confidentiality, the political sensitivity of the many of the survey's questions may have negatively affected the response rate, especially that of the incomplete responses. Institutional reform, the status of Aboriginal peoples, and the strengths and weaknesses of multiculturalism have all maintained contentious positions in Canadian politics. It is therefore likely that the political sensitivity of the issues discussed in the survey in conjunction with the concerns about confidentiality mentioned above negatively affected the initial response rate, and most likely impacted the respondents' decision to exit the survey. This notion that concerns about confidentiality and the political sensitivity of the survey contributed to the low response rate (both initially and in the incomplete responses) is demonstrated when considering the points in which participants opted to exit the survey.

A further issue tied to this may have to do with perceptions of the biases of the researchers. Perceptions that we were biased in even *asking* the questions we did may have limited the number of more right of centre respondents, while encouraging more left of centre respondents to answer the survey. In short, Mansbridge's gyroscopic model of representation may have been a factor, with higher rates of response amongst those who felt (whether mistakenly or not) that the researchers were in sympathy with their ideological perspectives.

Survey length might also have come into play, given the busy schedules of elected officials. We informed potential respondents that the survey length would be 10-20 minutes. There were in total some 11 pages of questions, with the demographic questions optional. While we timed the amount of time it would take to respond, it's possible that if people chose to complete the comments sections too, the survey could have taken over 20 minutes to complete.

A further reason for the low response rate may have to do with political practice. In the Westminster system, MPs, MLAs, MNAs, MPPs, and other members of provincial and territorial assemblies are subject to rigorous standards of party discipline. Indeed, while Canadian institutions are built on the Westminster model Malloy traces how “Canadian House of Commons votes are tightly disciplined by party with less dissent than in Britain”.<sup>47</sup> In recent weeks, the study of secrecy in the federal government has become widespread. NDP Leader Tom Mulcair has been particularly critical of the Harper government for cutting watchdog agencies and those who generate statistics for government and public use. The government also recently gained the dubious “Code of Silence Award” awarded by the Canadian Association of Journalists for “Canada's most secretive government or publicly funded agency.”<sup>48</sup>

Articles seeking to contextualize these claims have noted that the Chretien and Martin governments held even more in camera meetings free from media scrutiny. Indeed, “MPs deliberated in secret for an average of close to two hours a day during Martin's first and only majority session of Parliament in 2004.”<sup>49</sup> In short, given the need for elected officials to remain closely tied with the party's official message, and given the high degree of whipping in some parties, coupled with an increase in secrecy over the Chretien, Martin, and Harper governments, these issues may explain the low response rate.

## **Conclusions**

If we are to take this data as statistically significant then can see a marked divergence between political parties, irrespective of whether they are federal or provincial, over selected Aboriginal

issues. This is not particularly surprising given public statements, party platforms, and studies of which types of voters are likely to support which parties. The splits the survey identified in many respects mirror the splits in public opinion surveys of mainstream Canadian populations. If we are then to take the survey results at face value, Canadian elected officials, and largely by party, are strongly divided over Aboriginal issues, with left of centre parties the most in favour of acknowledging genocide, providing restitution, and promoting reconciliation. Right of centre parties such as the Conservatives, by contrast, seem the least inclined to see the IRS system as genocidal, were the most interested in seeing all Canadians as equal, were most likely to want to “move on”, and were the least in favour of changing the institutional status quo.

The aggregate attitudes of the Liberal Party were not surprising. Given that the Liberal Party represents Canada’s centrist party we would expect that the opinions of Liberal respondents would fall somewhere in between that of the Conservatives and the NDP. When analyzing the aggregate data and the graphs above, especially concerning whether or not Canada intentionally violated both the 1947 and 1948 UNGC, as expected, the Liberals fall in the relative-middle of the NDP and Conservative responses.

Given the response rate of this initial survey, in the future we will look at making a series of changes. Most likely our second survey, contemplated for later this summer, will consist of a mail in survey, which will mitigate some of the problems of technology and confidentiality. We will also reduce our sample size, focusing in the first instance on the federal Parliament only, so that we can devote more attention to more personalized follow up letters and other forms of communication. We will also reduce the size of the survey, to reduce the likelihood of

incomplete surveys due to time constraints. We will also insure that the survey is more focused on contemporary Aboriginal issues, excluding questions about women's representation, multiculturalism, and other issues, which while fascinating, may have reduced the number of respondents.

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## Appendix 1

Legislature	Date Sent	Legislature	Date Sent
House of Commons	02-Nov-11	British Columbia	12-Dec-11
House of Commons	16-Jan-12	British Columbia	16-Jan-12
House of Commons	30-Jan-12	British Columbia	19-Mar-12
Senate	05-Nov-11	Alberta	17-Jan-12
Senate	16-Jan-12	Alberta	12-Feb-12
Senate	30-Jan-12	Alberta	20-Mar-12
Ontario	07-Dec-11	Saskatchewan	17-Jan-12
Ontario	16-Jan-12	Saskatchewan	08-Feb-12
Ontario	08-Feb-12	Saskatchewan	20-Mar-12
Quebec	12-Dec-11	Manitoba	17-Jan-12
Quebec	16-Jan-12	Manitoba	08-Feb-12
Quebec	08-Feb-12	Manitoba	20-Mar-12
Nunavut	17-Jan-12	Northwest Territories	17-Jan-12
Nunavut	07-Feb-12	Northwest Territories	08-Feb-12
Nunavut	20-Mar-12	Northwest Territories	20-Mar-12

Legislature	Date Sent	Legislature	
Yukon	17-Jan-12	Prince Edward Island	
Yukon	07-Feb-12	Prince Edward Island	21-Feb-12
Yukon	20-Mar-12	Prince Edward Island	20-Mar-12
Nova Scotia	24-Jan-12	New Brunswick	24-Jan-12
Nova Scotia	21-Feb-12	New Brunswick	21-Feb-12
Nova Scotia	20-Mar-12	New Brunswick	20-Mar-12
Newfoundland	25-Jan-12		
Newfoundland	21-Feb-12		
Newfoundland	20-Mar-12		

## Appendix 2

## Response/Incomplete Response Rate

**House of Commons - English Survey**

Initial Responses	Complete Responses	Incomplete Responses
26	10	16

Time of Exit	Number of Exiting Responses
Party Identification Required	8
Demographic Section	4
Institutional Reform	2
Effects of the IRS system	2

**House of Commons - French Survey**

Initial Responses	Complete Responses	Incomplete Responses
10	5	5

Time of Exit	Number of Exiting Responses
Party Identification Required	3
Gender Affiliation	1
Institutional Reform	1

**Senate - English Survey**

Initial Responses	Complete Responses	Incomplete Responses
6	2	4

Time of Exit	Number of Exiting Responses
Survey Details	2
Demographic Information	1
Effects of Multiculturalism	1

**Senate - French Survey**

Initial Responses	Complete Responses	Incomplete Responses
1	1	0

**Alberta**

Initial Responses	Complete Responses	Incomplete Responses
7	3	4

Time of Exit	Number of Exiting Responses
Survey Details	3
Institutional Reform	1

**British Columbia**

Initial Responses	Complete Responses	Incomplete Responses
8	3	5

Time of Exit	Number of Exiting Responses
Survey Details	3
Demographic Information	1
Canada's intentions for the IRS system	1

**Saskatchewan**

Initial Responses	Complete Responses	Incomplete Responses
10	5	5

Time of Exit	Number of Exiting Responses
Survey Details	3
Party Affiliation	2

**Manitoba**

Initial Responses	Complete Responses	Incomplete Responses
4	2	2

Time of Exit	Number of Exiting Responses
Survey Details	1
Impression of CEP Payments	1

**Ontario - English Version**

Initial Responses	Complete Responses	Incomplete Responses
11	1	10

Time of Exit	Number of Exiting Responses
Survey Details	6
Consent to Publicize Comments	1
Party Affiliation and Province	3

**Ontario - French Version**

Initial Responses	Complete Responses	Incomplete Responses
1	1	0

**Quebec - French Survey**

Initial Responses	Complete Responses	Incomplete Responses
1	0	1

Time of Exit	Number of Exiting Responses
Institutional Reform	1

**Prince Edward Island**

Initial Responses	Complete Responses	Incomplete Responses
5	2	3

Time of Exit	Number of Exiting Responses
Survey Details	1
Constituency Information	1
Knowledge of the IRS System	1

**New Brunswick**

Initial Responses	Complete Responses	Incomplete Responses
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6	3	3
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Time of Exit	Number of Exiting Responses
Survey Details	2
Consent to Public Comments	1

**Newfoundland**

Initial Responses	Complete Responses	Incomplete Responses
4	2	2

Time of Exit	Number of Exiting Responses
Survey Details	2

**Nova Scotia**

Initial Responses	Complete Responses	Incomplete Responses
9	7	2

Time of Exit	Number of Exiting Responses
Survey Details	1
Party Affiliation	1

**Yukon**

Initial Responses	Complete Responses	Incomplete Responses
5	1	4

Time of Exit	Number of Exiting Responses
Survey Details	3
Canada's intentions for the IRS system	1

**Northwest Territories**

Initial Responses	Complete Responses	Incomplete Responses
4	3	1

Time of Exit	Number of Exiting Responses
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Survey Details	1
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### Nunavut

Initial Responses	Complete Responses	Incomplete Responses
1	1	1

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<sup>2</sup> Miller, James R. 2004. *Lethal Legacy: Current Native Controversies in Canada*. Toronto: University of Toronto Press: 183-4

<sup>3</sup> Milloy, John. 1996. *A National Crime: The Canadian Government and the Residential School System, 1879 to 1986*. Winnipeg: University of Manitoba Press; Miller, 2004: 84

<sup>4</sup> Miller, 2004: 35

<sup>5</sup> Assembly of First Nations. 1994. *Breaking the Silence*. Ottawa ON: AFN. 25, 30, 31

<sup>6</sup> MacDonald, David. 2007. "First Nations, Residential Schools, and the Americanization of the Holocaust." *Canadian Journal of Political Science* 40 (4): 1002.

<sup>7</sup> David MacDonald and Graham Hudson, "Contextualizing Aboriginal Residential Schools in Canada: How International and Domestic Law Can Help Us Interpret Genocide Claims", forthcoming in the *Canadian Journal of Political Science*, September, 2012

<sup>8</sup> "Q & A: The Honourable Justice Murray Sinclair" 8th Fire CBC, 2012

<http://www.cbc.ca/doczone/8thfire/2011/12/justice-murray-sinclair.html>

<sup>9</sup> "Judge calls residential schools a form of genocide" CTV News, 18 February, 2012

<http://www.ctv.ca/CTVNews/Canada/20120218/commission-chairman-residential-schools-120218/#ixzz1wMSe5Ta8>

<sup>10</sup> "Residential schools fit definition of genocide: Atleo" APTN National News 8. Nov, 2011

<http://aptn.ca/pages/news/2011/11/08/residential-schools-fit-definition-of-genocide-atleo/>

<sup>11</sup> Davis, Robert, and Mark Zannis. 1973. *The Genocide Machine in Canada*. Montreal: Black Rose: 175-76; Chrisjohn, Ronald and Sherri Young. 1994. *The Circle Game: Shadows and Substance in the Indian Residential School Experience in Canada*. (self published edition): 2-6 33-35; Neu, Dean, and Richard Therrien. 2003. *Accounting for Genocide: Canada's Bureaucratic Assault on Aboriginal People*. Blackpoint NS: Fernwood; Cardinal, Harold. 1999. *The Unjust Society: the Tragedy of Canada's Indians*. Vancouver: Douglas & McIntyre; Grant, Agnes. 1996. *No End of Grief: Indian Residential Schools in Canada*. Winnipeg: Pemmican: 69 270-271; Haig-Brown, Celia. 1988.

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<sup>12</sup> David Kirton Minister Duncan denies residential schools as cultural genocide Oct 27, 2011 <http://ckom.com/story/minister-duncan-denies-residential-schools-cultural-genocide/29300>

<sup>13</sup> Looking Forward, Looking Back: The Canadian Truth and Reconciliation Commission and the Mackenzie Valley Pipeline Inquiry Kim Stanton Canadian Journal of Law and Society Volume 27, Number 1, 2012: 94

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- <sup>15</sup> Schabas, William, "Convention For The Prevention And Punishment Of The Crime Of Genocide" United Nations Audiovisual Library of International Law, 2008  
[http://untreaty.un.org/cod/avl/pdf/ha/cppcg/cppcg\\_e.pdf](http://untreaty.un.org/cod/avl/pdf/ha/cppcg/cppcg_e.pdf) (Accessed April 27, 2011)
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- <sup>26</sup> Williams, 2004, p. 98-99)
- <sup>27</sup> Schmidt, Jennifer, "Aboriginal Representation in Government: A Comparative Examination" (paper prepared for the Law Commission of Canada, December, 2003), 5-6; Williams, 2004, p. 100
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- <sup>29</sup> Mansbridge 2003 522
- <sup>30</sup> "Here for Canada: Stephen Harper's Low-Tax Plan for Jobs and Economic Growth" (2011) [http://www.conservative.ca/media/ConservativePlatform2011\\_ENs.pdf](http://www.conservative.ca/media/ConservativePlatform2011_ENs.pdf); "Your Family. Your Future. Your Canada." (2011) [http://www.liberal.ca/files/2011/04/liberal\\_platform.pdf](http://www.liberal.ca/files/2011/04/liberal_platform.pdf); "Giving your family a break: Practical first steps" (2011) <http://xfer.ndp.ca/2011/2011-Platform/NDP-2011-Platform-En.pdf>
- <sup>31</sup> See Keith Archer, Faron Ellis and Peter Nestoruk, "Legislators and their World: A Survey of Alberta MLAs." *Canadian Parliamentary Review*. 12.2 (1989): 19-20; David Kenney Stewart, and Keith Archer. *Quasi-Democracy?: Parties and Leadership Selection in Alberta*. Vancouver: UBC Press, 2000.
- <sup>32</sup> Rebecca C. Sims, "Web Surveys: Applications in Denominational Research." *Review of Religious Research* 49.1, Special Issue on the Impact of the Internet on Religious Research (2007): pp. 69.
- <sup>33</sup> William Cross and Lisa Young. "Policy Attitudes of Party Members in Canada: Evidence of Ideological Politics." *Canadian Journal of Political Science / Revue canadienne de science politique* 35.4 (2002): 865.
- <sup>34</sup> For an extensive discussion of the advantages and disadvantages of each type of survey see Singleton, Royce, and Bruce C. Straits. *Approaches to Social Research*. 4th ed. New York: Oxford University Press, 2005): 232.260.

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- <sup>44</sup> William Cross and Lisa Young. "Policy Attitudes of Party Members in Canada: Evidence of Ideological Politics." *Canadian Journal of Political Science / Revue canadienne de science politique* 35.4 (2002): 865.
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- <sup>47</sup> John Malloy, High discipline, low cohesion? the uncertain patterns of canadian parliamentary party groups *The Journal of Legislative Studies* Volume 9, Issue 4, 2003 pages 116-129 p. 116
- <sup>48</sup> Mulcair vows to fight Harper government secrecy *The Canadian Press* Posted: Apr 29, 2012 6:58 PM ET Last Updated: Apr 29, 2012 <http://www.cbc.ca/news/politics/story/2012/04/29/pol-ndp-mulcair-to-fight-conservative-secrecy.html>
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