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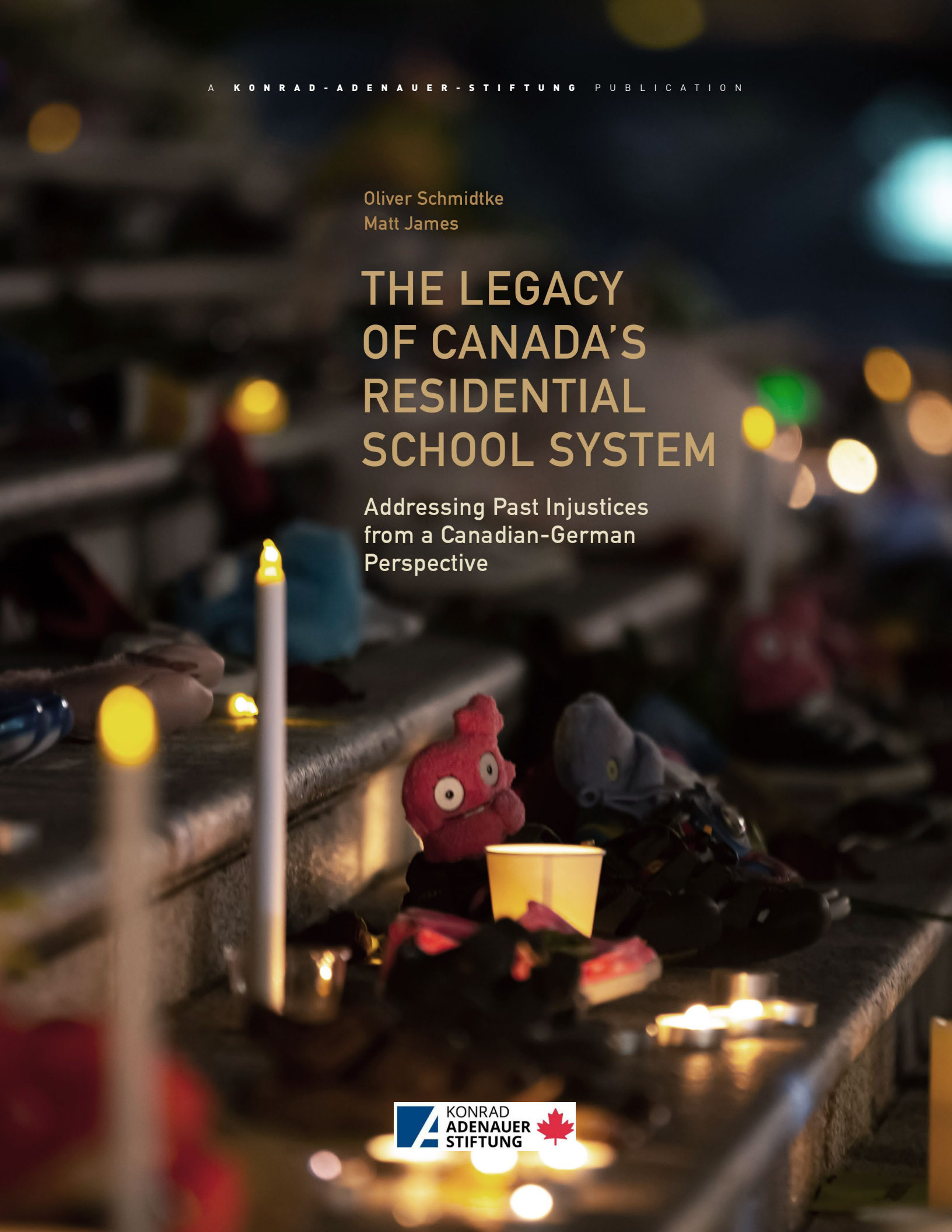
THE LEGACY OF CANADA'S RESIDENTIAL SCHOOL SYSTEM

Addressing Past Injustices from a Canadian-German Perspective



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At a glance

- **The 2022 revelations of mass graves** of children at the sites of former residential schools forced Canada to consider more directly what the Truth and Reconciliation report had already concluded in 2015: Canada's residential school system was part of a program of "cultural genocide" that sought to eliminate Indigenous peoples by, among other things, taking children from families and forcing them to endure destructive and indeed deathly conditions.

- **Notwithstanding the real dangers** of disrespecting the uniqueness of the relevant wrongs and traumata in the two countries, comparing the "memory cultures" of Canada and Germany can yield important lessons – about the diversity of forms that genocide can take, about the range of possible responses to gross wrongdoing, about productive modes of commemorating the past, and about the possible roles of collective memory in forging more democratic forms of citizenship.

- **Memory politics in the two countries** has been unpredictable and deeply contested, involving battles by far-right groups against any form of national introspection or questioning, on the one hand, and struggles by citizens' groups and Indigenous nations against top-down approaches that try to silence or contain the past, on the other.

- **Our comparisons leads to four key conclusions** about what meaningfully addressing historical injustices tends to require: 1) critically considering the country's national identity and related modes of addressing the past in lasting ways; 2) actively confronting present-day injustices, such as racism, anti-Semitism, and the dispossession of Indigenous peoples; 3) opening up a space for memory activism

of historically oppressed groups also in the form of grassroots, citizen-based commemorative practices; 4) recognizing that a democratic memory culture requires an ongoing commitment to critical assessment, openness, and collective learning.

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Introduction

In May 2021, the unidentified remains of approximately 215 children in a mass burial site were discovered at the Tk'emlúps te Secwépemc First Nation in British Columbia. The next month, researchers discovered roughly 751 unmarked graves at the Cowesses First Nation in Saskatchewan.[1] These were focusing events that dramatically highlighted the injustices of settler-colonial rule and their impact on Indigenous peoples in Canada. Both burial sites were on the grounds of former residential schools, institutions of forcible assimilation that Canada required generations of Indigenous children to attend, from the system's inception in the late nineteenth century to its gradual dismantling beginning in the 1970s (the last school closed in 1996). [2]

In 2015, several years prior to these discoveries, the Truth and Reconciliation Commission of Canada issued its landmark, six-volume final report on the history and impact of the residential school system. The Commission found that the system was part of a broader policy of 'cultural genocide' aimed at eliminating Indigenous nations as culturally distinct self-governing communities and at relieving Canada of its obligations to honour treaty obligations to those nations. The role of residential schooling in cultural genocide was to seek to eliminate Indigeneity by using the forcible separation of children from their families, languages, and cultures to destroy community capacities for cultural and social reproduction. In short, by the time of the 2021 discoveries, many facts about residential schools had already been brought to widespread Canadian attention (Capitaine and Vanthuyne, 2017; Nagy and Gillespie, 2015; Niessen, 2017).

News media had reported the cultural genocide finding and relayed to Canadian publics the horrific levels of disease, malnutrition, and physical

and sexual abuse experienced by children in the schools. The TRC report even included a specific volume, *Canada's Residential Schools: Missing Children and Unmarked Burials* (TRC, 2015d), detailing the unconscionably high death rates at the schools, the failure of the schools and relevant supervisory authorities to report or even record student deaths, and their refusal in most cases to send the remains of deceased students home for burial. Thus, to have read the TRC report upon its release in 2015 was to have known that former residential school sites were in all probability the abandoned and anonymous final resting places of thousands of children who had perished in deeply unjust circumstances. Yet public and media interest in this question was minimal, while resource and funding constraints meant that even the *Missing Children and Unmarked Burials* researchers were unable to ascertain the actual locations and contents of the burial sites.

Residential School in Kamloops, British Columbia, near where mass graves of Indigenous children were found.

(collections.irshdc.ubc.ca/index.php/Detail/objects/2211%20%20)

Therefore, when the Tk'emlúps te Secwépemc and Cowesses First Nations hired experts to conduct their own investigations, the resulting evidence of Canadian wrongdoing and Indigenous suffering moved Canadian publics in ways that the TRC report had not, despite the significance of that report's findings and the perspicacity of its judgments. Throughout the summer of 2021, the mass burial revelations sparked extensive domestic and international press coverage; demonstrations in Canadian cities at which crowds toppled statues of figures associated with residential schooling and colonialism and demanded the return of unceded Indigenous territories (e.g. Cecco, 2021); pledges from various levels of government to implement the TRC's 94 recommendations or "Calls to Action" (TRC, 2015c: 185-362); and the lowering to half-mast of Canadian flags on federal buildings until just before the 11 November Remembrance Day commemorations in honour of the country's war dead. It should be noted that these reac-

tions to the mass burial revelations occurred amidst the international cycle of protest associated with the Black Lives Matter movement and the ensuing climate of increased public discussion of systemic racism and white supremacy.[3] Although the outcome of these uprisings and movements was impossible to predict at the time of this report's writing, we can say that the residential school burial revelations were the key focusing event in bringing calls for reparation and accountability in relation to Canadian settler colonialism to unprecedented heights.

Toppled statue of John A Macdonald in Montreal's Place du Canada.

(cbc.ca/news/canada/montreal/john-a-macdonald-montreal-1.5706485)

More broadly, the events of 2021 must be seen in the context of a longer term process of historical reckoning that has called into question Canada's claim – central to national identity in this country since the early 1970s – to be a beacon of multicultural tolerance and democratic values. In recent years, this process of reckoning has been spurred by the movements for redress of residential school Survivors, which forced the creation of the TRC in 2009 (Nagy, 2014; also Henderson & Wakeham 2009; Monchalin 2017; Osborne, 2001), by the countrywide, Indigenous-led Idle No More protests in 2012-13 that demanded meaningful nation-to-nation relations (Aguirre, 2015), and by the more recent "land back" protests against Canadian resource exploitation on Indigenous territories.[4] Viewed in this light, the current reassessment of Canadian history and public memory could be understood as a key inflection point in larger processes of reconciliation and transitional justice – processes that could, in turn, help bring meaningful solutions to the dispossession, intergenerational trauma, and social exclusion that too often shapes the social reality of Indigenous lives and communities today.

Group experiences of injustice are both historically distinct and deeply personal for those affected; indeed it can be almost "ghoulish" to compare them (de Costa, 2009). With this crucial warning in mind, we contend nevertheless that processes of historical reckoning and reparation in

specific national contexts can benefit from comparative perspectives. By relating the responses to Canadian injustices against Indigenous peoples to how post-war Germany has addressed its crimes we in no way intend to question the singularity of the Holocaust and genocide of Jews orchestrated by Nazi Germany. Here we are guided by the words of the noted Canadian Holocaust educator and Holocaust survivor, Robbie Waisman, an Honorary Witness at TRC National Events: "We cannot, and we should not, compare sufferings. Each suffering is unique" (quoted in MacDonald 2019: 127). For their part, and as we will explain later in this report, the residential school survivors who fought to establish the TRC had little interest in establishing a Nuremberg-like framework of criminal prosecution of the sort brought to Germany by the Allied Powers following the horrors of the Third Reich. Thus, rather than comparing sufferings or arguing that one country ought to emulate another, we are interested in the first segment of this report in comparing German and Canadian responses to gross injustice in order to ask what we might learn from identifying different patterns in and possible lessons from the memory politics seen in the two countries.

In a first step, this report will explore in what way such a comparative perspective is instructive in addressing the challenges and opportunities in addressing past injustices in Canada and Germany. Based on this theoretically guided exposé we move to depicting the current debates on the legacy of settler colonialism in Canada and its effects on the land's Indigenous peoples. Here the focus is on how Canada has addressed this history of 'cultural genocide' in particular with the help of Commissions, most notably the Truth and Reconciliation Commission (2009-2015). In the subsequent section, different dimensions of how the German experience of 'mastering' or 'addressing' the past since the post-war period (Wöll, 1997) speaks to the Canadian context are explored. The common frame of reference in adapting this comparative transatlantic lens is to investigate how the way of addressing past injustices plays an important role in fomenting democratic citizenship and visions of social justice that also speak to current political realities and challenges.

Transatlantic comparisons: multidirectional memory

In the 1990s, some scholars and activists sought to re-interpret the European colonization of the Americas and the genocidal effects for the native population through the lens of the Holocaust experience. This so-called 'Americanization of the Holocaust' (Friedberg, 2000; MacDonald, 2015) was intended to use the awareness of and sensitivity toward the plight of the Jews under the Nazi regime as a way to draw public attention to the suffering of Native Americans resulting from five centuries of European colonization. Indeed, Craig Calhoun has noted how invoking the Holocaust can "achieve a 'trump card' salience for a categorical identity – in the face of a modern world where there are always many possible salient identities" (Calhoun, 1994: 25–26). One potential danger of this "trump card" role is identified by Hankivsky and Dhamoon (2013), who warn that an unproductive "Oppression Olympics" may arise among groups if the price for public consideration is somehow having first to prove that the historical suffering of one's group rises to the standard attributed to the experience of another.

Yet competing for public attention is a ubiquitous dimension of memory politics, as it is of politics in general, and the Holocaust holds enormous authority and symbolic power when it comes to exploring the factors that enable forms of genocide and ethnic cleansing. In this respect, the vocabulary and symbolism of the Holocaust may be almost unavoidable in public debates about gross injustice and suffering. For example, sociologist John Torpey argues that numerous groups have used the Holocaust as a 'window of opportunity', that is, as a "frame of reference and a model to follow" (Torpey, 2001: 338) for introducing "narratives of injustice and crime" (334) into the memory cultures of

countries formerly convinced of their own innocence or even moral heroism.

Not surprisingly, the attempt to couch the memory and understanding of colonial practices in the vocabulary of the Holocaust has led to a debate on whether such analogies are warranted, productive, or even legitimate. One central dimension of this debate is the question concerning the singularity of the Holocaust in modern history. In this regard, commentators have been concerned about a process of "hijacking" the Holocaust and how it may dilute its significance and trivialize Jewish suffering (Landau, 1998: 3–5). There is a long debate on using the Holocaust as a frame of reference for other genocides, the appropriateness of such a comparison, and the political consequences of questioning the uniqueness of the Holocaust (for some of these debates see: Blatman, 2015; Katz, 2019; Moses, 2012; Rosenfeld, 1999).

At the core of these debates is a paradox: on the one hand, there are the distinctive insights and political lessons drawn from the Holocaust based on the unique or unprecedented scale of the systematic genocide of Jews orchestrated by the Nazi regime. On the other hand, there is a concern whether the insistence on treating it as a unique and unprecedented event in history prevents us from fully exploring the forces allowing genocides to happen and the different forms that genocide can take.

This *problématique* becomes particularly pertinent in Germany where the Holocaust has played a critical role for the country's national culture. For instance, in the late 1980s a group of conservative historians in the FRG questioned the historic singularity of the Holocaust, suggesting that Germans would not need to accept a special burden of guilt decades after the end of the Third Reich (Stackelberg, 1993). With much media attention at the time, the West German public debated whether the memory of the Nazi era should be 'normalized' (as one among many expressions of dictatorship and genocide in modern history) or if this memory should remain the central ethical compass and political responsibility for contemporary and future Germans as well. At the time, the left responded to these attempts of reconsidering the legacy of the Third Reich and the Holocaust by accusing the conservative historians of promoting "apologetic tendencies in German history

writing" (Habermas, 2018). The 'historians' dispute' of the 1980s was an early indication that the commemoration of the Third Reich and the Holocaust is continuously transformed and challenged, particularly with the gradual fading of the lived memory of these years (Levy and Sznaider, 2004). In this respect, the debate on the 'singularity' of the Holocaust was a debate among historians with an immediate implication for framing Germany's national identity and the political responsibility resulting from the Third Reich.

An additional reservation about the Holocaust frame in interpreting past injustices and genocidal tendencies in other contexts speaks to how accurate and productive such an approach actually is for those who use it. From a broader, more conceptual investigative perspective, Dirk Moses (2013) asked - when reflecting on the work of the Canadian Museum for Human Rights – the following question: "Does the Holocaust Reveal or Conceal Other Genocides?" This question goes to the heart of the debate on whether the Holocaust, as a frame of reference and sensitivity to the suffering of victims, should be used by groups seeking public recognition of severe injustices that they have suffered. MacDonald formulates the concern as follows: "Representing history through the lens of the Holocaust can also decontextualize a group's history, by reinterpreting past victimization through a very distinctive and wholly different series of events." (MacDonald, 2007: 996). To put the concern more starkly, when the Holocaust is used as an overarching template for considering mass atrocity, it can even lead us to ignore or misrecognize other injustices. For example, the template or "gold standard" approach can prevent us from understanding that genocide can take a wide variety of forms other than deliberate campaigns of mass killing over short periods of time (Woolford, 2015) or from recognizing that racism can be structural and euphemized as well as fomented and propagandized (Hesse, 2011).

Thus, it should be unsurprising that scholars working in the Canadian context have questioned the impact of Holocaust commemoration and public memory on highlighting the impact of colonial violence and settlement on the country's Indigenous peoples. For example, Chalmers (2019) highlights the challenges that public commemorations face

when relating the Holocaust to Canada's colonial past and its treatment of Indigenous peoples. In his interpretation, the public commemoration of the Holocaust tends to be integral to the official "narrative of civilizational progress" associated with Canada as a modern immigrant society and its 'claim of moral superiority': a country of human rights that developed its official multiculturalism policy and Charter of Rights and Freedoms as part of a long-term project of historical learning in reaction against the Nazi genocide and the horrors of the Second World War. This narrative of Canadian progress, according to Chalmers (2019: 440), "embodies and perpetuates settler worldviews, imposes settler memories and mythologies on unceded Indigenous lands, and seeks to legitimize the theft of land by the settler state."

Michael Rothberg (2009) has addressed this challenge – the challenge, that is, that 'decontextualizing' interpretative frames can distort and mislead when they are used to address specific historic phenomena – with a productive conceptual distinction. On the one hand, Rothberg coins the term "competitive memory" to describe the inherent difficulties in relating memories of distinct histories to each other. For example, some may perceive the memory of the Holocaust as vulnerable in its integrity and status if used as a reference point in a generalized approach to genocides, while others may worry that this same, "reference point" use misrecognizes or even obscures other genocides and injustices. In contrast, Rothberg suggests an alternative interpretative approach to collective memory, which recognizes that memory in a globalized world of mass communication is inherently "multi-directional" in nature; this approach aims to avoid treating the memory of genocide as a zero sum competition for public recognition. For Rothberg (2009:3), this "multi-directional memory" is characterized by the fact that it is "subject to ongoing negotiation, cross-referencing, and borrowing" (see also Kennedy & Graefenstein, 2019; Dolgoy & Elżanowski. 2018). In this respect, the unique legacy of the Holocaust can help to provide reference points for articulating past injustices in other contexts (even if they are not comparable in scope and historical meaning), as indeed other injustices may be used to help publics better understand the continued relevance of the Holocaust.

In a similar vein, Assmann (2010) speaks hopefully about the Holocaust as a paradigm through which other genocides and traumata can be assessed and articulated. In her assessment, the Holocaust as a paradigm can provide a language to grasp and articulate such genocides that does not obscure but rather draws attention to the particular circumstances under which particular ethnic or religious groups are targeted. It is in this spirit that in in its final volume, Canada's Residential Schools: Reconciliation, the TRC (2015b: 120) references the Holocaust: "For members of the Jewish community, their experience of the Holocaust is a source of empathy in approaching the topic of the residential schools." As noted earlier, the Holocaust survivor Robbie Waisman spoke as an Honorary Witness at TRC National Events, using his own public profile and past experiences to promote solidarity with and respect for the survivors of residential schools. A similar idea informs the practice of the work of the United States Holocaust Memorial Museum which, in its mission statement, speaks of being a "*living* memorial to the Holocaust" that will inspire "citizens and leaders worldwide to confront hatred, prevent genocide, and promote human dignity."[5]

In what respects could Germany's almost eight-decade old attempt to address its pre-1945 past be instructive in using the commemoration of the Holocaust as a 'living memory'? How could we meaningfully relate this attempt to the specificity of national or local contexts or highlight the distinct features of these contexts and their resulting challenges to commemorating the past (Langenbacher, 2003)? Levy and Sznaider (2002: 88) argued "that shared memories of the Holocaust [...] provide the foundations for a new cosmopolitan memory, a memory transcending ethnic and national boundaries." (see also Habermas 2001). In this respect, Susan Neiman claims that "the German *Vergangenheitsaufarbeitung* ('addressing or coming to terms with the past') could serve as a model for the US in dealing with its legacy of racism" (as cited in Jikeli, 2020: 428); American political theorist Thomas McCarthy (2004), who, incidentally, has also translated into English several works of Jürgen Habermas, agrees strongly with this point. Although this conviction may now seem naïve in light of the resurgence of racist and anti-Semitic tendencies in German society, surely an agenda of mutual learning can still be productive. Accordingly, this report will attempt to pursue this

mutual learning agenda, which seems particularly important in light of the ongoing challenges of injustice commemoration and awareness at a time of rising far-right populism when Holocaust denial, trivialization, and the "mnemonic flash" of interwar fascism again loom over the contemporary political imaginary (Levi & Rothberg, 2018).

This conceptual reasoning underpins our exploration of a comparative Canadian-German perspective on memory culture, focusing on how historical commemoration and its social practices use collective memory plays to promote transitional justice and democratic, inclusive citizenship practices. While the literature on transitional justice normally focuses on post-totalitarian societies, the concept can prove helpful for a critical, comparative examination of memory practices (James, 2010). Such a perspective is oriented towards analyzing how the commemoration is conducted and the political-legal ramifications of the commemorative practices in question. In the interpretation of Nijhawan, Winland, and Wüstenberg (2018), memory and commemorative practices are critical elements in a democratic citizenship regime in which historical narratives are debated and contested (McGrattan, 2013). Our consideration of how Germany and Canada have responded to the task of confronting difficult, uncomfortable, and politically contested pasts supports the conviction that inclusive and 'multi-directional' debates about historical injustices are critical components and indicators of a democratic culture.

Canada's difficult path towards reconciliation: addressing the legacy of colonialism

By the formal end of the so-called Indian Residential School system in the 1990s, 139 such schools had operated in Canada and about 150,000 Indigenous children had attended them (Comack, 2014; Barkan, 2003).[6] These schools were places of psychological, physical, and sexual abuse that many children did not survive. By one estimate, the odds of a child dying while attending residential school were greater than those for Canadian soldiers of death from combat in the Second World War.[7] The 2015 TRC Final Summary Report (TRC, 2015c) pointed to persistent nutritional deficiencies, lack of medical provision, coercive and surreptitious health experiments, fire-prone and bug-infested residences, and severe levels of violence, with roughly 50% of all residential school students suffering either physical or sexual abuse. The summary report concluded: "Not only was abuse prevalent at schools throughout the country, but for a large percentage of former students, it was also extremely violent, intrusive, and harmful," (TRC, 2015c: 405). Further, the report documented longstanding patterns of indifference, deliberate ignorance, and cover-ups on the part of authorities when it came to addressing abuse, noting that churches and government authorities with responsibility for residential schools consistently "placed their own interests ahead of the children in their care and then covered up that victimization. It was cowardly behaviour" (107).

Taking the children from their Indigenous families was a central component of a long-term policy to eradicate Indigenous communities' linguistic and cultural identity by removing children from their families, preventing them from speaking their languages, and forcibly indoctri-

nating them into Christianity. The overall purpose was to alienate children from their communities, to fatally weaken Indigenous social and cultural reproduction, and, in so doing, to remove Indigenous opposition to colonial expansion and to relieve Canada of its legally binding treaty obligations. Reflecting on the long-term vision of this government policy, in 1920 Deputy Minister of Indian Affairs Duncan Campbell Scott stated: "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" (cited in Miller, 2004: 35). O'Connor and O'Neal (2009:15) described the intention of this system as follows: "no less than the total destruction of First Nations culture, language, and traditions. It was a vain attempt to turn Indians into white people with no connection to their Aboriginal past." This system laid the foundation for what Cairns framed as forms of "internal colonialism" (Cairns, 2003: 77–78).

Grassroots memorial in front of the Saskatchewan Legislature Parliament building in Regina, SK. Hundreds of children's shoes and toys, have been placed on the steps to remember and honour the Indigenous children found in the unmarked graves of the residential school in Kamloops, B.C. and elsewhere.

(Tandem X Visuals / unsplash)

The terminology used in the TRC report for the overall thrust of the residential schools policy is 'cultural genocide'. Some genocide experts have argued that the TRC's qualification of the term 'genocide' with the adjective 'cultural' should not detract from understanding the residential schools as part of a policy of genocide *tout court*. For example, Article II of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide maintains that "Forcibly transferring the children of the group to another group" is an act of genocide (MacDonald, 2017). Legal limitations in mandate rather than substantive questions of principle and judgment are what appear to have prevented the TRC from speaking of genocide without qualification: the commission's mandate precluded it from making legal findings, and

'genocide' is a category of international law (MacDonald, 2019: 125-126). It should also be noted that a supplementary report prepared by legal experts for Canada's National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) found "serious reason to believe" that the "colonial policies and structures" responsible for the ongoing epidemic of violence against Indigenous women and girls in Canada constitute genocide within the international law meaning of that term.

Moreover, if we follow Woolford (2015) in understanding genocide not simply as a legal but also as a sociological category, the difference between 'genocide' and 'cultural genocide' diminishes. Woolford argues that the core meaning of genocide in the work of the noted jurist Raphael Lemkin, who coined the term and was instrumental in getting the UN to adopt the Genocide Convention, focuses on processes and policies that aim at eliminating the bases of a group's existence. The point, then, is that culture is undeniably central to the processes that make groups distinct and that allow them inter-generationally to persist; thus, 'cultural genocide' may be no less genocidal than campaigns of deliberate mass killing. Separating children from their families, languages, laws, and spiritualities, as residential schools did, constituted an assault on social reproduction that targeted Indigenous capacities for resistance and persistence. The Reconciliation Committee of the Canadian Political Science Association declared recently that "genocide has been committed against Indigenous Peoples by the Canadian settler state and has been perpetrated by provincial and federal levels of government."[8]

The focus on victims over perpetrators

It is important to understand that the TRC was relatively silent on the topic of genocide until the 2015 final report. The discussion of genocide in the final report was in part a response to earlier criticisms of the TRC, which had been made by many critics since the commission's 2009 founding (e.g. Alfred, 2009), that its mandate and public pronouncements had focused primarily on community trauma and survivor experiences, as opposed to the systemic and structural injustices of Canadian settler colonialism themselves (for an overview, also see James, 2021). Thus, prior to the 2015 report, the commission aimed

to avoid an 'Oppression Olympics' competition with other victims of genocide while also, as already noted, heeding the restrictions in its mandate that prevented it from making findings of law.

We must also understand that the founding goals of the TRC were not to focus on making determinations about genocide or even necessarily to explore structural injustice. The TRC was formally established as the outcome of a court-supervised settlement to class-action lawsuits launched by residential school survivors against the Canadian federal government and the specific Christian denominations that operated individual residential schools. From the first public proclamation on the topic in 1990 by Canada's Assembly of First Nations (1990), former students insisted on the importance of a public inquiry; they sought not only to expose the responsibility of the government and churches for the injustices but to confront Canadian society with their own, long suppressed knowledge and experiences.[9] The example of South Africa's democratic transition also encouraged survivors to see a truth commission as a possible vehicle of dignity, respect, and voice. Throughout, advocates of the truth commission idea were uninterested in a Nuremberg-like forum that would identify and prosecute wrongdoers (e.g. Nagy, 2014), although individual abuse survivors did in many cases pursue criminal charges and civil suits against their abusers in the Canadian courts. Throughout the public operations and National and Regional Events of the TRC, the then-dominant focus on narrating experiences of harm to promote individual and community healing tended to overshadow any possible focus on the structural injustices of colonialism and understanding the residential school system in relation to settler-colonial genocide, cultural or otherwise.

The 2006 Indian Residential Schools Agreement (IRSSA) was the out-of-court, judicially supervised and legally binding settlement to the class actions.[10] The IRSSA required the federal government to establish an independent truth commission, laid out the commission's legally-binding mandate, and created a lump-sum compensation scheme for former students and process for paying out additional awards to students with verified claims of physical or sexual abuse. The TRC mandate reflected the aforementioned focus of survivors on matters of healing, voice, and

public education. The legal representatives of the survivors accepted the insistence of the government and church parties in the negotiations on a mandate that denied the TRC the right to 'name names', issue subpoenas, or make findings of law. Instead, the mandate focused on empowering the TRC to conduct activities that would reflect the primary concerns that survivor advocates had always expressed in their publicly stated hopes for a TRC: a process to gather permanently preserved statements from former students, public hearings (also known as National and Regional Events) to educate Canadians on the injustices and trauma of residential schooling, and a process for funding projects of commemoration and community healing.

In this respect, the denazification attempts of the allied forces after 1945 were fundamentally different from the approaches taken by the TRC. While the former relied on a focus on perpetrators and the commitment to hold them accountable through the justice system, the latter approach has been centred on the narratives and experiences of survivors. There are certainly criticisms to be made of what the international truth commission literature would recognize as the TRC's "victim-centred" (e.g. Phelps, 2006) approach. Perhaps most important, the Canadian federal government and churches often took advantage of the focus on survivors and relative lack of focus on perpetrators to shield the specifics of their actions and inactions with respect to residential schooling from more probing, critical scrutiny (e.g. James, 2012). But these criticisms should not detract from recognizing the TRC's achievements. The commission made great strides in calling public attention to the destructive impact on Indigenous peoples and racist motivations of residential schooling (Capitaine & Vanthuyne, 2017; Nagy & Gillespie, 2015). It did these things through National and Regional Events that attracted significant media coverage and that placed in the forefront the knowledge and experiences of survivors (James, 2017). It also avoided giving rise to a concern that has been expressed in relation to more legalistic, perpetrator-centred commissions – and indeed some of these concerns have been expressed about the Nuremberg proceedings themselves (e.g. Phelps, 2006: 77-78) – that have used survivors as "mere instruments for uncovering perpetrator identities and misdeeds, leading to a downplaying of their perspectives and hopes" (James, 2012: 6).

Thus, in its survivor-centredness the TRC sought primarily to garner a comprehensive account of the suffering and long term effect of the IRS on its victims. Its philosophy was to prioritize Indigenous approaches to the injustices that their communities had endured over generations (Nagy, 2020). The Commission sought to mobilize Indigenous traditions, knowledge systems, and cultural practices to deal with the often traumatic legacy of the Residential School system. The underlying hope was that this approach would be the most promising pathway towards reconciliation and healing. Perhaps above all, the primary concerns of the TRC prior to the final report were survivor healing, connecting Indigenous communities and individual survivors via National and Regional Events, and, in particular, educating the Canadian public about the injustice of residential schooling. As Robinson (2016: 60) wrote about Canadian knowledge and opinion prior to the release of the final report: "A large portion of the settler Canadian public remains aggressively indifferent toward acknowledging the history of colonization upon which their contemporary privilege rests." Thus, there was also nothing reminiscent of a Nuremberg-like focus on individual accountability, prosecutions, or even institutional negative sanction, in the 94 recommendations, or "Calls to Action," of the TRC report. The Preface to the Final Summary Report (TRC, 2015c: vi) began by reminding readers that "shaming and pointing out wrongdoing were not the purpose of the commission's mandate." Accordingly, the Calls to Action (see TRC, 2015c) focused, first, on reparation and healing for residential school survivors and Indigenous communities in sections titled, Child Welfare (Calls 1-5), Education (Calls 6-12), Language and Culture (Calls 13-17), Health (Calls 18-24), and Justice (Calls 25-42). Second, and perhaps most boldly, under the heading of Reconciliation (Calls 43-56), the Calls addressed structural injustice and decolonization, calling for self-determination,

The Commission sought to mobilize Indigenous traditions, knowledge systems, and cultural practices to deal with the often traumatic legacy of the Residential School system.

the "Repudiation of concepts used to justify European sovereignty over Indigenous lands and peoples," and the use of United Nations Declaration on the Rights of Indigenous Peoples as the overarching "framework for reconciliation" (Call 46). Lastly, the Calls addressed reconciliation initiatives to be undertaken by governments and civil society organizations in sections addressed to the Legal System (Calls 50-52), Churches (Calls 58-61), Education sector (Calls 62-65), Museums and Archives (Calls 67-70), Media (Calls 84-86), Sport (Calls 87-91), Business (Calls 92), and Newcomers to Canada (Calls 93-94).

At the time of this report's writing, analysts monitoring the Canadian federal government's response to the TRC report called Ottawa's progress on the 94 Calls to Action "dreadful" (Martens, 2019) and "glacial" (Jewell & Mosby, 2019). Writing for the Yellowhead Institute as part of their commitment to monitor annually the implementation of the Calls, Eva Jewell and Ian Mosby (2020) wondered if "reconciliation is dead." Certainly, the Covid-19 pandemic meant that, by 2020, the agendas of policymakers and government leaders faced urgent competing priorities, but it was evident long before the onset of the pandemic that the minority Liberal government of Justin Trudeau had no plan for pursue rapid progress on the TRC recommendations, particularly those calling on government to change its approach to questions of Indigenous jurisdiction, land rights, and self-determination.

Reconciliation in current Canadian politics: responses to the TRC's Calls for Action

It is impossible in this report to characterize or assess the diversity of responses to the TRC Calls to Action from Canadian civil society. Church responses ranged from the activist "Winds of Change" campaign of the United Church-affiliated Kairos organization,[11] which pressures governments and public institutions to fulfill those Calls to Action that implicate them, to the failure of the Roman Catholic churches in Canada even to make good on the cash reparation commitments to which they were originally legally sworn under the Indian Residential Schools Settlement Agreement (Cardoso, 2021). Academics in many disciplines published scholarly articles outlining how their respective professional

or scholarly organizations could contribute to addressing the Calls (e.g. Cutrara, 2018; Poirier & Hedaraly, 2019; Restall et al., 2016).

Of particular significance were the decisions of some municipal governments and public institutions to respond to Calls to Action 79-83, dealing specifically with Commemoration, to remove statues or otherwise to cease honouring figures notable for their association with settler-colonial genocide. These decisions were significant for two reasons, in particular. First, even though they did not involve sanction or accountability for living persons associated with the injustices of residential schools, they constituted nevertheless a new turn in Canadian processes of historical reckoning towards a critical focus on perpetrators. Recall that the TRC had been strongly victim- or survivor-centred throughout. The final report downplayed the usefulness of what it called "shaming and pointing out wrongdoing" (2015c: vi). Chief commissioner Sinclair warned publicly on several occasions against removing statues of historical Canadian figures or removing their names from public places and buildings (e.g. Kirkup, 2017). The Calls to Action 79-83 on Commemoration said nothing about renamings or removals, advocating instead a "reconciliation framework for Canadian heritage and commemoration" (Call 79), a monument to residential school survivors in Ottawa (Call 81), and monuments to survivors in each of the provincial capitals (Call 82).

For their parts, the cities of Victoria, British Columbia and Halifax, Nova Scotia, faced public protest about their continued honouring of controversial settler-colonial figures. In Victoria, the focus of controversy was a statue of Sir John A. Macdonald, Canada's first prime minister, at the entrance to its City Hall; Macdonald was a key advocate of eliminating Indigeneity through residential schooling and for using policies of starvation and other cruelties to remove Indigenous communities from the path of the CPR, Canada's cross-country national railroad (Daschuk, 2013). In Halifax, opprobrium fell on its statue of Sir Edward Cornwallis, which stood in the city's park of that name. Cornwallis was an unrepentant advocate of colonial genocide who even used bounties of the scalps of the local Mikmaq population as part of a campaign of ethnic cleansing to make the area around

Halifax safe for unimpeded settlement; (Halifax Regional Municipality, 2020). Similarly, Toronto's Ryerson University faced calls to disassociate itself from its former namesake, Egerton Ryerson, a notable early colonial leader who wrote a mid-nineteenth-century public report advocating the complete assimilation and Christianization of Indigenous peoples through mandatory residential schooling (Ryerson University, 2021).

The subsequent decisions to remove the statues of Macdonald and Cornwallis and to rename the former Ryerson University indicated that Canada may be departing from the victim- or survivor-centric approach of the TRC. At the time of writing, local authorities, teachers' unions, and other interested parties across the country were reconsidering the use of names of figures such as Macdonald as an honorific on public institutions (for a brief overview, see Beauchemin & Cousins, 2020). Local crowds had responded immediately to the mass grave revelations of summer 2021 with the spontaneous removal or destruction of statues of colonial figures, including of the explorer James Cook in Victoria, of Macdonald in Hamilton and Montreal, and of Ryerson in Toronto. A turn to a more perpetrator-centred focus on identifying, stigmatizing, and dethroning former Canadian heroes appeared to be underway.

One notable factor in shaping the outcomes of several of these controversies was that the relevant authorities had already responded to the 2015 TRC report with reports of their own pledges to support the Calls to Action and to implement them within the scope of their responsibilities (see Halifax Regional Municipality, 2020; Hier, 2020; Ryerson University, 2021). And it would appear that most important guidance they took from the TRC in this regard was to heed its insistence that decisions about commemoration should be reached "*in collaboration* with Aboriginal peoples" (Call to Action 81, our emphasis) or "*in collaboration* with Survivors and their organizations" (Call to Action 82, our emphasis). Thus, not only did the monument and naming controversies mark a turn towards a focus on the posthumous shaming of perpetrators.

The second aspect of their significance lay in the fact that they pointed to an emergent norm of joint Indigenous-settler decision-making in

commemorative controversies. To make decisions on these matters in ways consistent with their prior TRC commitments, the authorities in all three cases wound up turning to or establishing new special deliberative bodies featuring either equal or at least significant Indigenous representation. Victoria's City Family involved an equal mix of settler and Indigenous representatives, including specific nominees from the local Songhees and Esquimalt First Nations (Hier, 2020). The Halifax Task Force on the Commemoration of Edward Cornwallis and Commemoration of Indigenous History involved representation of City nominees and representatives chosen by the Nova Scotia Assembly of Mi'kmaw Chiefs (Halifax Regional Municipality, 2020). Lastly, Ryerson's Mash Koh Wee Kah Pooh Win/Standing Strong Task Force had four of 14 Indigenous members and was co-chaired by a settler and an Indigenous scholar (Ryerson University, 2021). The Ryerson Task Force recommended in 2021 that the university be renamed (and university leaders accepted the recommendation); in 2018 Victoria took down its statue of Macdonald; Halifax put its Cornwallis statue in storage in 2018 and, in 2020, confirmed that the removal would be permanent and renamed the former Cornwallis Park, Peace and Friendship Park, in honour of the region's historic Peace and Friendship Treaties. At the time of writing, it seemed likely that other large Canadian municipalities or public institutions would face almost irresistible pressure to adopt co-decision, collaborative approaches to address similar future controversies.

Haida master carver Jim Hart working on the Reconciliation pole in 2017, located at the University of British Columbia, Vancouver.

(Danachos via commons.wikimedia.org)

At the same time, far-right figures and organizations have attempted to exploit the new memory controversies for their own propaganda and recruitment purposes. The Proud Boys mobilized to defend the

Cornwallis statue; the Soldiers of Odin were on hand to protest the removal of the Macdonald statue in Victoria; and, most recently, the Ryerson Young Conservatives Association was forced to cancel an event protesting the university's renaming decision when it became evident that far-right and neo-Nazi groups were planning to be on hand to support the Young Conservatives in their protest (Antihate.ca, 2021). Far-right groups and entities seem in these controversies to have been particularly interested to build lists of potential supporters by asking opponents of the renamings or removals in question to sign online petitions (e.g. Ugolini, 2020). In short, and although it would be foolhardy to predict the outcomes of these controversies and conflicts, it now seems evident that the "no fault" era of Canadian memory politics, in which a focus on victims served to obscure questions about accountability and perpetrators, is over. Figures seen as responsible for settler-colonial injustice are being identified, stigmatized, and dethroned.

Lastly, a final important development significantly related to Canada's residential school survivor-spurred process of historical reckoning was the 2021 $40 billion (CAD) settlement between the Canadian federal government, Assembly of First Nations, and First Nations Child and Family Caring Society (Lindemann, 2022). The settlement was to address the Canadian federal government's longstanding failure to adequately fund child welfare and related services in Indigenous communities, a failure that Canadian lower and appellate courts had already found to be discriminatory and contrary to the Canadian Human Rights Act. Half of the settlement monies were to be used to compensate children and families that had experienced trauma and separation as a result of Canada's chronic underfunding of Indigenous child and family services, and the other half was pledged to improve those services in the future. The TRC process and final report were significant to this outcome in two ways. First, the report provided high profile confirmation of the claims of Indigenous child welfare advocates, showing that the number of Indigenous children in government or foster care was greater in the present day than it had been even at the height of the residential school system. The reason for this injustice, it continued, was that the Canadian federal government had elected to respond to the trauma caused by its cultural genocide policies simply by re-routing Indigenous children into

new forms of custodial care that, like residential schools, separated them from their families, homelands, and traditions rather than funding in-community services on a level comparable to that provided in non-Indigenous communities (e.g. TRC, 2015a: 172-173; 2015c: 185-187).

Beyond the report, the broader TRC process was also significant in placing political pressure on the federal government. For example, Gitxsan social work scholar Cindy Blackstock, who led the campaign for compensation and change to Canadian Indigenous child and family services practices on behalf of the First Nations Child and Family Caring Society, repeatedly leveraged Ottawa's claimed commitment to reconciliation in the context of the TRC. In public reports, presentations, and media appearances, Blackstock's message (e.g. 2011) was that "reconciliation means not saying sorry twice," by which she meant that Canada needed immediately to rectify the moral scandal of Indigenous children in care; otherwise, it was simply continuing the unjust and culturally genocidal behaviour that it was professing to regret via the TRC process.

In these ways, therefore, the process of historical introspection and reckoning sparked by the residential school survivors who fought to establish the TRC has had significant and, in some ways, unexpected effects. It has been useful in helping advocates like Cindy Blackstock to shine a critical spotlight on some of Canada's ongoing injustices against Indigenous peoples and, in the process, to force at least some ameliorative response from Ottawa. Furthermore, the TRC, with its report on *Missing Children and Unmarked Burials*, helped lead to the forensic archaeological work that began to uncover specific evidence of mass burials and unmarked graves of children on former residential school sites in the summer of 2021. As we then saw in the case of recent monument and other commemorative controversies, these discoveries brought further public Canadian attention not only to the injustices of residential schooling, but to the fact such injustices were the concrete result of specific policy decisions taken by specific former Canadian leaders, such as Sir John A. Macdonald. This nascent, and to be sure only partial, awakening began to call into question Canada's self-identity as a fundamentally benign country of inclusion and multiculturalism. It

also marked a possible turning point towards a more self-critical, and perpetrator-centred reckoning with Canadian wrongdoing that would, at the very least, involve a dethroning of former national heroes. Indeed, however distressing and opportunistic it may be, the ubiquitous presence of the far right in these memory controversies served further to identify the founding of Canada and the veneration of its settler-colonial heroes with violence and white supremacy. With formerly honoured founders reinterpreted as wrongdoers and perhaps even genocidaires, the historical linkages between the Canadian state, land management, resource development, and Indigenous suffering came increasingly into view, with possible implications for how present-day Canadian leadership and conduct is viewed. Perhaps the key remaining question is what sort of role these developments will play in the politics of Indigenous reconciliation and land and sovereignty – in a word, decolonization.

Germany: commemorating the past as constitutive of democratic citizenship

Germany's approach to 'tackling' or 'mastering the past' in politics, culture, literature or film is multi-faceted and comprehensive (Figge & Ward, 2010). Commemorating the Third Reich and Holocaust in Germany has been a long process that has seen distinct historic phases and practices in confronting this past and its meaning for contemporary social and political realities (Gay 2003). In this respect, it would be oversimplified to speak of a distinct model representing Germany's memory culture and its approach to addressing the legacy of the Nazi crimes and the victims of the Shoah. Clearly, for the sake of this report, we are not able to cover the intricacies of Germany's post-war memory culture. For the purpose of exploring a fruitful comparative transatlantic perspective, we instead rely on a notion of the dominant interpretation of Germany's '*Vergangenheitsbewältigung*' (mastering the past) that most accurately encapsulates the contemporary country's ways of dealing with its ever-present 20th Century history.

Over the past decades, the legacy of the Third Reich and the Holocaust have become a foundational element of (West-) Germany's political identity after 1945 (Olick & Levy, 1997; Maier, 1997). While during the immediate post-war period the myth of 'zero hour'[12] provided a convenient narrative for the collective amnesia regarding the crimes of the Nazi regime and the responsibility of German society, the task of commemorating and 'mastering the past' has gradually become a defining endeavor of subsequent post-war generations. In the Federal Republic of Germany (FRG), in particular for younger Germans, probing what their parent generation did during the Third Reich, the

at times painful process of addressing the country's post-1945 took on societal and political urgency. The initial strategy of avoiding or suppressing the memory of the Nazi regimes and its implications for the new West German state has slowly given way to a growing willingness to approaching this – deeply controversial – task with greater determination and openness (Kansteiner, 2006).

The insight into and moral-political responsibility resulting from the Hitler dictatorship and the Holocaust have gradually become the foundation on which a stable liberal-democratic republic in (West) Germany has been built. The commitment to the principle 'never again' has been and remains at the heart of the young German democracy (Wüstenberg & Art, 2008). With more thorough public support and more earnest efforts by political authorities since the mid-1960s, (West-) Germany society has accepted responsibility and, for a substantial segment of this society, a deep sense of guilt for the crimes conducted under the Nazi regime. According to Bettina Warburg, Germans "have adopted an acute historical sensitivity, making expressions of genuine sorrow and shame longstanding fixtures of German identity" (Warburg, 2010: 51). She highlights some of the defining features of this German memory culture and the lessons drawn from it: "a societal, moral, and physical crisis; a politically codified rejection of Nazism; generational condemnation by the left-leaning descendants of World War II-era Germans, known as '68ers; the German moral debt to Israel; the fiery *Historikerstreit* (Historians' Debate) in the mid-1980s; and eventually the growth and development of a modern-day tendency toward humanism in the world community" (Warburg, 2010: 53).

Memorial at Yad Vashem Holocaust Museum, Israel.

(Eelco Böhtlingk / unsplash.com/photos/gGT876GkSm0)

In the subsequent section, we highlight three central elements of the evolving German memory culture. The idea of this approach is to provide an account of Germany's 'coming to terms with the past' that speaks to the Canadian context and the challenging reconciliation with Indigenous peoples. The focus on these components is guided by the way in which the modes and practices of commemorating the past are fundamentally connected to Germany's democratic culture: a) National Identity and Ethical Principles; b) Agents and Sites of Memory Culture; and c) Meaning for Contemporary Realities.

National Identity and Ethical Principles

National identity is a historically-rooted and culturally-corroborated idea of the shared descent and common fate of a particular - imagined - political community (Anderson, 1991; Fleischmann, Leszczenky & Pink, 2019; Hobsbawm, 1992; Wang, 2017). In this respect, a collective identity is the foundational notion of what defines us as a collective, and, based on a set of historic narratives, provides a sense of continuity through time as well as a vision for the future (Gillis, 2018). With a focus on the political role of this identity, Fukuyama (2018: 9) explicated that "national identities can be built around liberal and democratic political values, and around the shared experiences that provide the connective tissue allowing diverse communities to thrive." For Germany's post-war national identity, it has been the experience of the horrific history prior to 1945 that feeds the commitment to democratic values and a widely shared determination to reimagine contemporary Germany as a European country firmly integrated into the Western communities of liberal democracies.

These challenges have become cornerstones of (West) Germany's post-war political identity (Assmann, & Czaplicka, 1995). The broad consensus among the FRG's political elite to pursue a rigorous integration into the community of Western democracies and the European Community/ Union is built on the – painful – responsibility resulting from Germany's 20th Century history and the modes of its commemoration. Still, German society and politics have continuously challenged this dominant narrative of 'never again'. In particular the

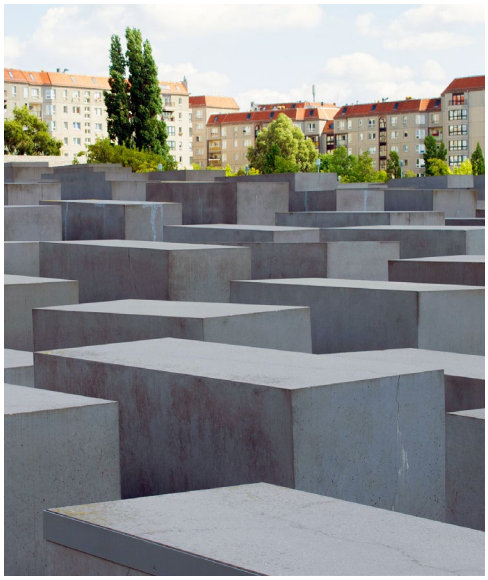
immediate post-war era was shaped by a multiplicity of apologetic tendencies. Yet, also today, as a generation of political leaders have come to power with no direct memory of the Third Reich, the way to interpret the past and political commitments resulting from this history remains a highly disputed and divisive subject. While there is broad consensus that the legacy of the Third Reich and the Holocaust is foundational for the political identity of contemporary Germany, the actual proper practice of commemorating this past and its significance for present-day realities has been subject to controversial public debates.

Although the number of Germans who experienced the years before 1945 personally is dwindling, the horrors of the Holocaust and Second World War continue to linger over Germany's national identity. Considering the German case, Rothberg (2014: 123) emphasized that "commemoration of National Socialism and the Holocaust has made its way to the center of the official national identity of a unified Germany, even if the path has most definitely been a twisted one and that centrality continues to be contested." In spite of the contestation of this collective identity, it is worth underlining how relatively stable these key historic reference points are in post-war Germany. Due to the Cold-War divide, both German states largely refrained from developing a distinct sense of 'national identity'. In particular in the West, the division of the country was perceived as temporary in character; the occupation by the Allied forces and the formative authority of the two superpowers determined the future of the two states. Until 1990, narratives of national identity were fragmented and – politically deliberately – muted (Knischewski, 2003).

While in the East, the Communist regime sought to promote a heroic account of the proletarian revolution and victory over National Socialism as the founding myth of the young GDR, the nascent political identity of the FRG was decisively anti-heroic and based on the recognition of historic failure (Olsen, 2015). In a politically significant way, the reference to modern German history lost its innocence after 1945 and could no longer be disentangled from the horrors of the Nazi regime. In this respect, the legacy of Germany's history and national identity came under scrutiny after the Second World War when the roots of Hitler's

rise to power were debated with a view to the legacy of the *Kaiserreich* and the *Weimar Republic*.

Against this background it becomes apparent why not only nationalism has become a sentiment viewed with attentive suspicion but also why the very notion of a post-war national identity could not be detached from a consideration of the long term historic developments that made the barbaric Nazi regime possible in a country, which before 1933 displayed such pride in its civilizational and cultural achievements. Indeed, the very cultural-political foundations of German national identity, its reliance on ethnicity and culture as a unifying force (accounting for Germany's territorial fragmentation in its modern history) and an exclusionary form of nationalism, became compromised by the crimes of the Nazi regime. In a nutshell, after 1945 Germans were forced to consider what components of the country's modern history enabled the Third Reich and the Holocaust and what radical changes were needed to address these structural features in Germany's cultural history and political modernization.



Memorial to the murdered Jews of Europe, Berlin, Germany; creating such prominent sites of commemoration has regularly sparked controversial public debate in Germany.

(larahcv / pixabay)

The trauma caused by the events of contemporary Germany's history have transferred across the country and generations (Antze, & Lambek 2016; Assmann, & Clift 2016). Heavily influenced by the legacy of being the perpetrators of the Holocaust, the formation of guilt, shame as well as responsibility continue to shape current discussions. Schade (2021) argued that the feeling of guilt and shame continue to imprint on younger postwar generations. Jikeli (2020) stated that on the one hand, "Germany has changed dramatically and in many ways since 1945. It has been transformed from a belligerent nation that started

two world wars to a major force for stability and democracy in Europe that promotes the ideals upon which the EU was founded" (427).

The Federal Republic's commitment to European integration dates back to the immediate post-war period, rooted in Konrad Adenauer's key objective of 'West integration'. The pro-European stance offered an explicit antidote to its history of aggressive nationalism and National Socialist crimes. West Germany's steadfast support for uniting the continent has been a constitutive element of its post-war political identity. This commitment has taken on a new dimension in the wake of German unification. The international community and, in particular, Germany's West European partners only sanctioned the country's unification under the premise of an unwavering support for the process of European integration (Jarausch, 1997). Conversely, Germany's deeply rooted loyalty to Europe serves as both a mirror and a corrective for its national identity.

Anti-war memorial in East Berlin (Treptower Park) with a heroic depiction of the victorious Red Army defeating Nazi Germany.

(Yannes Kiefer / unsplash.com/photos/d_X1WCL2Qq4)

It is worth noting here that the memory of the Third Reich and the Holocaust took on a decisively different political meaning in both German states after 1949. They constituted, as Jeffrey Herf (1997) put it, a 'divided memory' over how the Nazi past was interpreted and politically appropriated in the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) respectively. While the memory of the Third Reich and the Holocaust gradually and against considerable political resistance in the post-war decades took on the role of a moral anchor point for the West, the GDR framed its political identity primarily in terms of the history of class struggles (Fulbrook, 2020). In this logic, the German Democratic Republic claimed to be the quintessential anti-fascist state and, under the ideological guidance

of the Communist regime, repudiated any collective responsibility for the horrors of the Third Reich (Brinks, 1997; Olsen, 2015; Walther, 2019). The Holocaust and the suffering of Jews during the Third Reich did not fit into the revolutionary, class-based narrative of the German Democratic Republic and thus did not become a prominent part of the official memory culture. Diner and Gundermann (1996) described how, in a seeming paradox, the official anti-fascist narrative of the GDR undermined a thorough confrontation with the national socialist past and in particular the Holocaust. Arguably, anti-fascism became so closely associated with the authoritarian East German state and its ideological justification that it lost its educational drive in terms of promoting anti-racist, democratic political principles.

If one considers one key feature of the FRG's political today – most notably the east-west divide and the concentration of support for right wing options such as the *Alternative for Germany* in the territory of the former GDR – it is legitimate to point to the memory culture that has shaped the Western part of the country. The broad public awareness and endorsement of the lessons drawn from the experience of the Third Reich and the Holocaust has given rise to a political culture that proves to be – somewhat more[13] – immune to the lure of extreme nationalism and racism.

In a recent speech by Germany's President Frank-Walter Steinmeier at the Fifth World Holocaust Forum at Yad Vashem, this link between current German national identity, the memory of the Holocaust, and the political norms resulting from this commemoration became clearly delineated:

> The industrial mass murder of six million Jews, the worst crime in the history of humanity, it was committed by my countrymen. The terrible war, which cost far more than 50 million lives, it originated from my country...
>
> Yes, we Germans remember. But sometimes it seems as though we understand the past better than the present. The spirits of evil are emerging in a new guise, presenting their antisemitic, racist, authoritarian thinking as an answer for the future, a new

> solution to the problems of our age. I wish I could say that we Germans have learnt from history once and for all...
>
> Of course, our age is a different age. The words are not the same. The perpetrators are not the same. But it is the same evil. And there remains only one answer: Never again! *Nie wieder!* That is why there cannot be an end to remembrance. This responsibility was woven into the very fabric of the Federal Republic of Germany from day one. But it tests us here and now.[14]

The political responsibility resulting from the Holocaust leads to fundamental norms and political principles that Germany's political elites and state institutions are committed to defending. Contemporary Germany's strong endorsement of basic human and democratic rights – also defined as the active fight against racism and anti-Semitism – are directly tied to the collectively shared history of the 20th Century.

Coming to terms or mastering the past as a collective, provides a strong foundation for the future of remembrance culture and memory politics in Germany, Europe and globally. Levy and Sznaider (2002) argued "that shared memories of the Holocaust [...] provide the foundations for a new cosmopolitan memory, a memory transcending ethnic and national boundaries" (88). In this context, Germany "is [...] a playground for cultural enrichment through the incorporation of diverse traditions, but also a society that needs the management of tensions between diverse cultural manifestations and lifestyles existing in close proximity to one another" (Will & Burns, 2015: 198). Reflecting on Germany's historic national identity and understanding how these historical narratives shape or influence our modern society helps to shape a roadmap for the future of reinventing the country's national identity.

To illustrate how memory, in particular the memory of the Holocaust, shapes the political culture of Germany and its ongoing political challenges, it is worth considering the following quote by the former German Chancellor Angela Merkel (*speech at the Auschwitz-Birkenau Holocaust Memorial, 2019)*:

> This site obliges us to keep the memory alive. We must remember the crimes that were committed here and name them clearly... I feel deep shame given the barbaric crimes that were committed here by Germans...Today we are experiencing a worrying racism, rising intolerance, and a wave of hate crime.... We are experiencing an attack on the fundamental values of democracy and a dangerous revisionism of history which is used for the purpose of hostility against certain groups.

What is noteworthy in the speeches of Angela Merkel and Frank-Walter Steinmeier is how they make the direct connection between the lessons learned from the past and the current challenges associated with resurgent right-wing, racist and anti-Semitic ideologies. The history associated with the Nazi regime and the Holocaust is mobilized in form of a warning regarding the dangers of anti-democratic extremism and the bigotry towards those deemed 'foreigners'.

Agents and Sites of Memory Culture: Dynamic between state and civil society actors

The above citation by President Steinmeier indicates the degree to which the commemoration of the Third Reich and the Holocaust now shapes Germany's 'official' memory politics and the political commitments resulting from this confrontation with the 20th Century past. Yet, Germany's current memory culture is not simply that of a state gradually adopting a more thorough and committed approach to preserving this memory. Rather, civil society actors have played a critical role in shaping this memory culture and democratizing it. As Wüstenberg (2017) demonstrates in her systematic study of the interplay between civil society actors and memory in post-war Germany, the tensions between the official memorial practices and the norms articulated by non-state actors has created a significant dynamic accounting for Germany's approach to addressing its 20th Century history. Civil society actors have played a key role in shaping the country's memory culture and in challenging its officially sanctioned iteration by a plethora of on-the-ground initiatives.

It is worth exploring this relationship between commemorating the past and nurturing Germany's democratic institutions in the post-war period. In his interpretation of post-war German politics, Jarausch made the constitutive link between gradual recognition and memorization of the Nazi crimes and what he describes as the "inner democratization" of the FRG (Jarausch 1997). Indeed, in the immediate post-war environment the political elites in the young West German state were seriously concerned about whether the young democracy could survive if the Holocaust and the crimes of the Nazi regimes were openly acknowledged and honored. As Herf (1997:7) observed, the "inherent tensions between memory and justice on the one hand and democracy on the other would appear to have been one of the central themes of postwar West German history." For many post-war elites in the FRG, the pre-1945 past raised moral and legal issues that the young republic was not prepared to address. It would take about two decades for a new generation to challenge the institutionalized memory culture and its tendency to discourage a thorough introspection into German guilt and responsibility.

Many actors played in role in promoting a more inquisitive, thorough, and comprehensive approach to commemorating Germany's twentieth-century past (first, the one related to the Nazi regime and the Holocaust and, after 1989, the one associated with the East German Communist rule; see Albrecht, 2017). One force that is regularly underestimated in its significance for this process is that of grassroots, civil society groups that promote locally based approaches to memory. One prominent example from Germany is the so-called *Geschichtsbewegung* (History Movement) that started in the early 1980s with a host of local chapters; by 1992 there were – according to an estimate of the newspaper *Frankfurter Rundschau* – 192 such History Movement chapters across the FRG (see: Wüstenberg, 2010). Their motto was 'Dig Where You Stand' and their participants understood themselves as 'history activists'. For them, the local context was (and still is) an entry point into remembering what the Nazi regime and the persecution of Jews meant on the ground. The array of citizen-led initiatives wrote and re-interpreted local history (later the model was also used by activists committed to understanding the legacy of Communist rule in Eastern Germany). While these diverse

groups were autonomous, they were connected throughout the country and formed a History Movement with the ability to change Germany's memory culture.

The work of these local chapters collectively had a profound impact on the state-supported commemoration of the past. Gradually, through grass-root initiatives, innovative projects to address the past and its implications for contemporary realities found public acceptance and institutionalized backing. Another prominent example would be the Stumbling Stones (*Stolperstein)* Initiative (Apel, 2014; Harjes, 2005). With its commemorative brass plaques in the pavement, it commemorates people who were persecuted by the Nazis between 1933 and 1945 (by now there are over 70.000 such commemorative plaques in front of the houses where the victims of the Nazi regime last lived). Again this initiative, initiated by the artist Gunter Demnig in 1992,[15] is driven by local groups and activists that at present are connected throughout Europe.

Stumbling Stones as an example of bottom-up memory culture.

(Hans / pixabay)

In this regard, civil society initiatives directed at commemorating the past have played such a pivotal role in Germany's memory culture in a twofold way. First, these grass-roots initiatives challenge the institutionalized memory practice and are able to draw public attention to aspects of commemorating the past that were neglected. They also have the potential of being transformative regarding what and how the past is commemorated; in the German context, the grassroots initiatives have regularly introduced new interpretative approaches to addressing historical events and pushed state-sanctioned policies into new directions. Second, civil society initiatives regularly contest dominant narratives of the past and have thus the potential of promoting new normative directions for relating historical events to the presence. For instance, the History Movement has pursued its initiatives addressing the resurgence of right-wing, anti-foreigner ideologies in the FRG.

Recently civil society groups have also been instrumental in addressing a widely neglected dimension of Germany's past: the legacy of colonialism.

While the Third Reich and the Holocaust provide the dominant frame of reference in how contemporary Germany looks at its modern past, the legacy of colonialism, in contrast, has not found a voice in public debates until recently. Yet there is growing openness towards debating and acting on Germany's short but brutal period as a colonizing force in Western Africa (Garsha, 2020; Hillebrecht, 2017), in particular with respect to the Herero and Nama genocide perpetrated by the German colonial authorities during the first decade of the 20th Century. Already in the 1990s, descendants of the genocide victims in Namibia petitioned the German government and companies involved in the colonial regime to pay reparations for colonial injustices (a controversial process that has just been completed without the meaningful inclusion of the Herero and Nama themselves). Yet, there are also domestic reasons that have now propelled German society to address the legacy of colonialism more fully. Albrecht (2012) explained that "connecting the colonial past with the contemporary multi-ethnic present raises complex issues of comparability or incomparability and touches upon the issue of shared history" (363). Grassroots initiatives addressing Germany's colonial legacy often come related to a critical approach to how the country deals with immigration and the growing cultural diversity of its society. Here again, contemporary debates about Germany's historically founded national identity are intimately linked to current challenges facing German society, such as debating its notion of citizenship and forms of societal belonging that establish who legitimately belongs to the national community (Brubaker, 1992; Schmidtke, 2013, 2017; Wilhelm, 2013).

Commemorating the Past and Contemporary Political Realities

In spite of the well-established 'memory culture' that has formed in Germany over the past decades, the actual meaning of and political message attached to commemorating the Third Reich and the Holocaust for contemporary German society has remained contested throughout the history of the FRG. In this respect, the current social-political context poses a particular challenge: At the beginning of the third decade of the 21st Century we are increasingly less able to rely on eye witnesses

and personal memories to convey the horror of the Nazi regime and the urgency to commemorate its crimes. What are appropriate modes of keeping the memory of the Third Reich and the Holocaust meaningful for new generations? Furthermore, there is a noticeable public debate in Germany whether the country's dominant memory culture is and should still provide the fundamental ethical norms guiding its political community. Not by accident, attempts to provide racist ideologies with new credibility and political acceptability have focused on the legacy of Germany's memory culture and the political principles rooted in this mnemonic practice.

One radical way of questioning the foundational role of the memory of the Nazi regime and its crimes has been promoted by Germany's far-right nationalist party, the "*Alternative für Deutschland*" or AfD (Rensmann, 2018). For the first time in the country's post-war history, an openly right-wing, anti-immigrant party was voted into Germany's federal parliament in 2017. Not surprisingly, one of the key components of its political campaigns is to question the centrality and meaning of the collective memory associated with the Third Reich and the Holocaust.

With the rise of the populist right in German politics, the issue of the country's modern past has taken centre stage (again). Over the past years, the *Alternative for Germa*ny (AfD) – and in particular its nationalist, nativist wing – has made the historic narration of what defines the country's identity a cornerstone of its political campaigns. Radicalizing the two claims made by the conservative historians in the 1980s, the AfD openly challenges the foundational elements of the FRG's mode of commemorating its 20th Century past in a nationalist key. Alexander Gauland, co-leader of the AfD, stated in 2018: "Hitler and the Nazis are just bird shit in more than 1,000 years of successful German history." In a similar vein, Björn Höcke, a leading figure in the AfD and prominent representative of the '*völkische*' (ethno-nationalist) wing of the party, suggested "that Germans were the 'only people in the world who planted a memorial of shame in the heart of their capital'" (BBC, 2017; also see Dearden, 2017). This comment was made in reference to the Memorial to the murdered Jews of Europe that is located in Berlin, Germany.

At its core, the populist-nationalist aspiration of the AfD portrays the dominant memory culture as degrading for the nation and constitutive of the despised emancipatory-leftist project. Reinterpreting Germany's 20th Century history is central to the AfD's nationalist appeal and its challenge to the political status quo. A heroic account of Germany's history in which the Third Reich and the Holocaust do not play a prominent role is a key element in the party's attempt to promote an exclusionary nationalism aggressively directed at immigrants and the European Union. In this respect, the debate on how to interpret the legacy of the Third Reich and the Holocaust is intimately tied to the debate and struggle about fundamental principles and values on which Germany's polity rests.

Conclusions

The task of confronting the sustained injustices that Indigenous peoples have had to face over the past centuries and the continued colonial control by the Canadian state of Indigenous lands and lives today has become a central feature of contested public debates in Canada. At the time of writing, at least, the discovery of mass burial sites near former residential schools at different locations across the country had made non-Indigenous media and publics more committed to tackling this task. While fundamentally different in nature, the experiences of Canada and Germany in commemorating their past and addressing it in current practices are conducive to comparative reflections. With Rothberg we argue that, conceptualized as a form of multi-directional memory, the reference to Germany's long-lasting struggle with addressing the gruesome legacy of the Third Reich allows for a fruitful transatlantic interpretive lens. In particular with regard to reconciliation and transitional justice in Canada, the memory of the Holocaust and Germany's ongoing process of 'mastering the past' has provided some important – implicit and explicit – reference points for guiding Canadian practices.

In our concluding remarks, we would like to highlight four dimensions of both countries' memory culture that speak to the link between addressing past injustices and the vibrancy of Germany's and Canada's respective democratic culture. The first concerns the way in which the memory culture and the willingness to address past injustices is an important building bloc for a country's national identity and the political values endorsed by the community. In Germany, the commemoration of the Nazi past and the Holocaust has left its indelible mark on German national identity; this memory has become a key reference point in defining also current political values and norms. In this

respect, Germany's memory culture is more than an academic exercise of preserving the knowledge of the past. Addressing the legacy of the Third Reich has been a key test to and driving force behind the Federal Republic of Germany's gradual process of democratization throughout the post-war decades.

This observation raises fundamental questions about Canada's national identity: How compatible is commemorating cultural genocide waged against Indigenous peoples with Canada's traditional, heroic national memory culture and collective identity (Ghaddar, 2016)? How could this memory be linked to Canada's multiculturalism and its underlying promise of equitable inclusion and cultural diversity in a meaningful way? What could be the consequences of endorsing Indigenous rights more fully if the confrontation with the legacy of colonialism becomes a central feature of Canada's political culture (raising issues such as racial discrimination, dispossession of land, sub-standard access to adequate housing and water, unequitable opportunities in education and the labour market, etc.)? From a transatlantic perspective it is also worth noting that Germany has recently started to consider more openly the legacy of its own colonial rule on the West coast of Africa and how the brutal suppression of the Herero and Nama could be acknowledged in terms of reparations and restitutions.

At the same time, there is an important parallel here in the importance of regretful commemorative awareness in both countries as an important tool in struggles against present-day wrong and injustice. This parallel is the second dimension of comparison in these concluding remarks between the Canadian and German memory cultures. We have seen in the Canadian case that the findings of the TRC and the rhetorical commitment of the Canadian federal government to a post-residential school reconciliation process have been used to shine a critical spotlight on this country's treatment today of Indigenous children and communities by social services and child welfare agencies. We have seen in the German case that the resurgence of overtly ethnic nationalist and indeed hateful racist sentiment challenges that country's regretful, postwar memory culture, but –

just as important – we have also seen, particularly through the public actions, statements, and policy decisions of leaders such as Angela Merkel, that it is precisely that memory culture that stands as such an important bulwark against ethnic-nationalist and racist sentiment. Without lapsing into naïve, wishful thinking, we find that in both countries the continued engagement with critical public memory of gross injustice to be necessary in confronting present-day dangers and wrongs. Perhaps most important, we find that critical memory politics in both countries can be used to interrogate the worst aspects of the state's originary foundations: ethnic nationalism in the German case and the racism of settler colonialism in the Canadian.

The third dimension of our comparison here concerns the agents of a country's memory culture. In the Canadian context, there has been a growing rift between the official, institutionalized memory discourse (largely relying on state apologies) on the one hand, and a bottom up form of 'memory activism' on the other. The latter grassroots groups push for a stronger focus on the perpetrators and question more radically the historical narratives on which the Canadian polity is based and the structures of exclusion that result from them. In particular a younger generation of Indigenous leaders and activists have advocated for a thorough form of 'de-colonization'.

Over the past decades the situation has been similar in the German context: Civil society based 'memory activism' and the related reliance on local knowledge and commemoration practices have been instrumental in driving the country's transforming memory culture. For the Federal Republic of Germany, these grassroots practices of shaping commemorative practices and their meaning for contemporary socio-political realities have greatly contributed to democratizing modern German society and making it more resilient to the ideologies of exclusivist nationalism or racism. Civil-society driven initiatives to commemorate the past and the political norms emanating from this practice have been instrumental in providing the remembrance of Germany's 20th Century history with a forum that is not restricted to an official memory culture but also rooted in a web of decentralized initiatives. In a similar vein, Indigenous civil society actors (and scholars)

have been instrumental in promoting the public knowledge about past injustices towards Indigenous peoples and how these practices rooted in the country's colonial legacy shapes social and political realities in today's Canada.

This consideration of the third dimension of comparison – the role played by civil society or non-state actors in memory controversies and processes – leads in turn to a fourth. This fourth dimension is the unpredictability of memory politics. Critics of the contemporary politics of redress and historical justice argue, and not without foundation, that states and powerful domestic groups wish to use regretful commemoration to "close the books" on injustice and to draw sharp temporal lines that distinguish the unjust past from the allegedly enlightened present. But powerful opposing forces can push things in different directions. In both the years after the Second World War and again at the time of German unification, international pressure stimulated domestic memory awareness and introspection (Barkan, 2000). At still other times, domestic German forces of memory awareness battled successfully against perceived acts by the United States that seemed to encourage a politics of forgetting the Nazi past (Art, 2006). There is no equivalent international pressure, either for memory or amnesia, in the Canadian case. But on the other hand, as we have seen in the case of Indigenous nations and residential school survivors, there are also living, vibrant political forces within the territory of the Canadian state that have been promoting change and mnemonic reckoning. Their engagement with the findings and legacy of the TRC, as seen in the searches of residential school sites for burial grounds, in the controversies over settler-colonial monuments, and in the battles over contemporary Indigenous child welfare and family services policies, testifies to this point. This is, in other words, to say

Civil society based 'memory activism' and the related reliance on local knowledge and commemoration practices have been instrumental in driving the country's transforming memory culture.

that the TRC, which seemed quite politically weak and isolated at the time of its inception, has turned out to have a more powerful legacy than might have been imagined because of the subsequent work and activism of Indigenous peoples and non-Indigenous allies. Critical public memory can intersect with political activism in unpredictable and potentially far-reaching ways.

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Endnotes

1 On these discoveries, see Deer (2021).

2 Unless otherwise noted, the information about residential schools contained herein can be found in the TRC's Final Summary Report, *Honouring the Truth, Reconciling for the Future* (TRC [2015]).

3 Indeed the Tk'emlúps te Secwépemc discovery was announced just days after the 25 May, 2020 police murder of the unarmed African-American man, George Floyd.

4 On the international land back movement, see landback.org/.

5 https://www.ushmm.org/information/about-the-museum

6 Although the last school closed only in 1996, the system had been shrinking in its reach since the early 1970s, with residential schools being replaced gradually by regular day schools in Indigenous communities, and with these coming increasingly under local Indigenous control.

7 https://www.cbc.ca/news/indigenous/truth-and-reconciliation-commission-by-the-numbers-1.3096185

8 https://cpsa-acsp.ca/trc/. Note by way of disclosure: co-author James at the time of writing was a member of this Committee.

9 For an overview of the battles discussed in this section, see TRC 2015b, chap. 45, "Getting to the Settlement Agreement."

10 The Agreement can be found at http://www.residentialschoolsettlement.ca/english_index.html.

11 https://www.kairoscanada.org/what-we-do/indigenous-rights/windsofchange-overview.

12 After 1945, the term 'Zero Hour' became the colloquial term to mark the end of the War and, with the association of a totally new beginning, an attempt by Germans to dissociate themselves from the Nazi regime.

13 This qualification is important as the Western part of the country has also seen a resurgence in anti-Semitism and racism (see for instance the 2019 feature of the New York Times: https://www.nytimes.com/2019/05/21/magazine/anti-semitism-germany.html

14 see: https://www.bundespraesident.de/SharedDocs/Reden/EN/Frank-Walter-Steinmeier/Reden/2020/01/200123-World-Holocaust-Forum-Yad-Vashem.html

15 See: http://www.stolpersteine.eu/en/home/

16 The *New York Times* has documented the persistent strengthening of right-wing, anti-immigrant forces in an impressive feature: https://www.nytimes.com/2021/06/25/world/europe/germany-nazi-far-right.html

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