



From Truth to Reconciliation

Transforming the Legacy of Residential Schools



RESILIENCE OF THE FLOWER BEADWORK PEOPLE

Christi Belcourt

1999

Acrylic on Canvas



We have survived through incredible odds. We very easily could have been absorbed into the mainstream society. The pressures were there from all sides. No matter. We are here. Despite direct assimilation attempts. Despite the residential school systems. Despite the strong influences of the Church in Métis communities to ignore and deny our Aboriginal heritage and our Aboriginal spirituality. We are still able to say we are proud to be Métis. We are

resilient as a weed. As beautiful as a wildflower. We have much to celebrate and be proud of.

– Christi Belcourt (excerpt from www.belcourt.net)

BLOOD TEARS

Alex Janvier

2001

Acrylic on linen



Painted on the artist's 66th birthday, *Blood Tears* is both a statement of Mr. Janvier's sense of loss and a celebration of his resilience, made all the more powerful with the inclusion of a lengthy inscription painted in his own hand on the rear of the canvas. The inscription details a series of losses attributed to the ten years he spent at the Blue Quills Indian Residential School: loss of childhood, language, culture, customs, parents,

grandparents, and traditional beliefs. He was taken off the land he loved and severely punished for speaking his language—Denesuliné. Being a little boy did not matter and “many, many died of broken bodies” and “broken spirit.” The entire inscription is reproduced within.

WRESTLING WITH MY DEMONS

Abraham Anghik Ruben

2001

Brazilian soapstone

Collection of the Silverberg Family



This sculpture is a personal interpretation of my life. It is a mirror of my past, a signpost for the present, a reminder of yet unresolved issues and day-to-day struggles. Past struggles include twenty years of alcoholism and my recovery, and years in the residential school system. These demons still make themselves known, but as time goes by, they have become faint echoes and whispers.

– Abraham Anghik Ruben (www.inuastudio.com)

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Ce document est aussi disponible en français.

From Truth to Reconciliation
Transforming the Legacy of Residential Schools

Prepared for
the Aboriginal Healing Foundation

By
Marlene Brant Castellano
Linda Archibald
Mike DeGagné

2008

DEDICATION

Dedicated to the memory of Gail Guthrie Valaskakis, our colleague and friend. The inspiration for this book was yours. Your love of education and research was a guide to common purpose, understanding, and reconciliation. We are grateful for your encouragement and support, and we miss you.

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TRIBAL: DENESUŠIMÉ, OF GOLD LAKE ALBERTA SASKATCHEWAN.

INDIAN NAMES

#1, HOLTÉ, WATERBIRD, PRESENT NAME: PAINT IN LODGE

ALEXANDRÉ SIMEON JANVIER

TREATY SIX 1876 FORT PITT N.W.T., BORN FEB. 26, 1935 AT GOLD LAKE #199, HOLD TITLE TO TRUSTED

B.Q.I.R.S.

BLUE QUILLS INDIAN RESIDENTIAL SCHOOL

1943 - 1953

AGE 8 - 15 YEAR

LOSS OF CHILDHOOD

TEEN AGE

* LANGUAGE OF

DENESUŠIMÉ TARGETTED

FORBIDDEN TO SPEAK WAS TO BE STRIPPED / AND SEVERELY PUNISHED!

* LOSS OF CULTURE, CUSTOM

* * PARENTHOOD, PARENTS AND EXTENDED FAMILIES

* * GRANDPARENTS

* * BLOOD'S KNOWLEDGE

* * TRADITIONAL BELIEF

TOLD THAT WAS EVIL

* TOLD THE INDIAN WAY WAS

THE WISE OF THE BEHAVIOR, GRANDPARENT WERE EVIL!

* CAUGHT IN A HESS OF THIS AND GOOD, BEING GOOD WANT TO WORK, BEING A LITTLE BIT WIDEN MATTER.

* TAKEN OFF THE LANDS THAT WE LIVE

* NOT ABLE TO SHARE OUR RESOURCES.

* WE IMPROVED AND PROVED, INCLUDING WINDY NIGHTFALL

* PAINFULS WERE EXHIBIT

* IT NEVER ENDS, IT JUST KEPT GOING

* MANY, MANY DIED OF BOOBY BODIES

" " " " " TRUSTED CONJECTURE MENTAL DISORDER

* MOST DIED WITH BARREN SPIRIT

* SOME LIVED TO TELL ABOUT IT

* THE BEST ARE PERMANENTLY LIVE IN FEAR

* THE BEST WILL TAKE THEIR SILENCE TO THEIR GRAVES.

AT THIS TIME TO THIS DAY

TITLE: "BLOOD TEARS"

BY ALEXANDRE SIMEON JANVIER

PAINTED IN THE

ART STUDIO OF

JANVIER MUSEUM & FINE ARTS

PAINTED AT THE END OF

FEBRUARY 28TH 2001

ARTIST 62ND BIRTHDAY.

"Blood Tears" by Alex Janvier

Reproduced with the permission of the artist

PREFACE

The launch of Canada's Truth and Reconciliation Commission pursuant to the *Indian Residential Schools Settlement Agreement* is a historic event. For the first time, a chapter in our history will be opened up to a public process with the purpose of acknowledging harms done and healing the relationship between peoples within Canada.

The legacy of residential schools has weighed heavily on the lives and well-being of First Nations, Inuit, and Métis individuals and communities for generations. The *Settlement Agreement* endorsed by Survivors, churches, and the Government of Canada signals a shared commitment to create a more harmonious, mutually respectful future.

Much attention has been given to the compensation payments that form part of the *Agreement*. Payments now being distributed will relieve some immediate needs, but our Elders remind us that money soon disappears and that we need to look for things of lasting value. The knowledge that the voices of our injured relations have been heard, memorials to the resilience of those who survived and remembrance of those who died, and the ongoing work of community healing will have lasting value.

A paper in this volume proposes that where common memory is lacking, where people do not share in the same past, there can be no real community. Where community is to be formed, common memory must be created. The Truth and Reconciliation Commission, in bearing witness to what has gone before, will help to create collective memory and shared hope that will benefit Aboriginal and non-Aboriginal peoples in Canada long into the future.

This volume is a collection of papers and brief reflections from more than thirty contributors who have worked to create just and inclusive societies in Canada and abroad. The Aboriginal Healing Foundation is honoured to present a distillation of their experience and wisdom to the Truth and Reconciliation Commission as it sets out on its mission to transform the legacy of Indian residential schools.

Masi,

Georges Erasmus
President
Aboriginal Healing Foundation

INTRODUCTION

ABORIGINAL TRUTHS IN THE NARRATIVE OF CANADA

Truth and reconciliation are new words in the vocabulary of Canadians speaking about our history and our future in this land. The standard history, which resonates especially with those of European ancestry, is a grand narrative of pioneers and waves of immigrants birthing a peaceable nation from a vast, untamed landscape. The Aboriginal peoples of Canada—First Nations, Inuit, and Métis—tell different stories, of ancient origins preserved in legends, of migrations that spanned the continent, of trading networks and treaty making and sporadic conflicts to establish boundaries between nations, of prophecies that foretold how their lives would be changed by newcomers to their lands.

Different experiences generate different perspectives on truth. Parallel histories and the world views they support can live comfortably side by side until they intrude on one another and require negotiation of a common understanding. Thomas Berger's 1977 book *Northern Frontier, Northern Homeland* vividly conveyed the modern necessity of communicating and negotiating different perspectives on the land. Tense relations and confrontations between original peoples and newcomers have periodically erupted over land since early contact and have led to the issuing and signing of historic documents seeking conciliation of differences. Among these are the *Royal Proclamation of 1763*, which is now imbedded in the *Constitution Act of 1982* and numerous treaties of peace and friendship, which have been given modern force and effect by Supreme Court decisions. "The land question" continues to be the focus of challenge, litigation, and demonstrations across Canada.

Assertion of Aboriginal title is about occupancy of traditional territories and benefit from the resources that support life, but it also refutes the doctrine of *terra nullius*, the claim that North America on discovery by Europeans was empty land, open to occupation and cultivation by civilized peoples without regard to the people already there. Aboriginal peoples were seen to be in a state of nature, possessing neither government nor property. The philosophies that underlay colonization of lands and colonial authority over peoples rationalized the belief that the lands would be better used, that is, more productive, under a system of private property, and the native people would be better off brought into the circle of civilized conditions.¹

Aggressive civilization to accomplish colonial goals was thought to be futile in the case of adults. Residential schooling was the policy of choice to reshape

the identity and consciousness of First Nations, Inuit, and Métis children. The persistence of colonial notions of superiority is evidenced in the fact that residential schooling that punished the expression of Aboriginal languages, spirituality, and life ways and attempted to instill a Euro-Canadian identity in Aboriginal children, continued from 1831 into the 1970s.

The devastating effects of this program of social engineering were brought into public view in the hearings, research, and *Report of the Royal Commission on Aboriginal Peoples* (RCAP). In calling for a more extensive public inquiry into residential schools the Commission wrote:

No segment of our research aroused more outrage and shame than the story of the residential schools. Certainly there were hundreds of children who survived and scores who benefitted from the education they received. And there were teachers and administrators who gave years of their lives to what they believed was a noble experiment. But the incredible damage – loss of life, denigration of culture, destruction of self-respect and self-esteem, rupture of families, impact of these traumas on succeeding generations, and the enormity of the cultural triumphalism that lay behind the enterprise – will deeply disturb anyone who allows this story to seep into their consciousness and recognizes that these policies and deeds were perpetrated by Canadians no better or worse intentioned, no better or worse educated than we are today. This episode reveals what has been demonstrated repeatedly in the subsequent events of this century: the capacity of powerful but grievously false premises to take over public institutions and render them powerless to mount effective resistance. It is also evidence of the capacity of democratic populations to tolerate moral enormities in their midst.²

The RCAP recommendation in 1996 for a public inquiry to examine the origins, purposes, and effects of residential school policies, to identify abuses, to recommend remedial measures, and to begin the process of healing³ has taken over a decade to come to realization. A start was made with the federal government's *Statement of Reconciliation* in 1998⁴ including an apology for physical and sexual abuse in the schools and the establishment of a fund to support community healing. In the interim, the tide of litigation alleging emotional and cultural as well as physical and sexual abuse swelled to include thirteen thousand residential school Survivors. Court processes and decisions were proving costly to Survivors, churches, and government; the human and financial costs foreseen if litigation were to run its course were insupportable. Several of the churches involved in operating the schools were put under duress

financially as a result of compensation orders, but nevertheless made frank and full apologies. The Assembly of First Nations pursued diligent advocacy and mounted international research to bolster the argument that redress for Survivors as a whole, including compensation, was just and practicable.

The *Indian Residential Schools Settlement Agreement*⁵ is a court-ordered settlement endorsed by Survivors' legal representatives, churches, and the federal government in 2006 and implemented as of September 2007. The *Settlement Agreement* provided for a cash payment to Survivors living in 2005 or their estates if deceased, as well as providing an individual assessment process for adjudication of cases of more serious abuse, the creation of memorials, a five-year extension of funding for the Aboriginal Healing Foundation to support community healing initiatives, and the establishment of a Truth and Reconciliation Commission with a five-year mandate consistent with many of the recommendations of RCAP.⁶

The truth-seeking component of the Truth and Reconciliation Commission mandate acknowledges the wrong that was done in suppressing the history, culture, and identity of First Nations, Inuit, and Métis peoples through the enforced removal and re-socialization of their children. The healing that is envisaged through a public process of truth-telling touches families, communities, and nations as well as individuals. For Aboriginal peoples, the promise of the Truth and Reconciliation Commission is that their truths, as they relate to this tragic chapter of history, will now have a place in the official story of Canada that is accessible to successive generations of Canadians.

PERSPECTIVES ON RECONCILIATION

Reconciliation—restoring good will in relations that have been disrupted—is the second component of the Truth and Reconciliation Commission's mandate. Some would say that the original work of conciliation, bringing to agreement parties who have differing interests, has never occurred. Others point out that there are countless examples, historically and in the present, of harmonious, mutually beneficial relationships between Aboriginal and non-Aboriginal individuals and local communities. The breakdown of trust and respect is most grievous when group interests are at stake, around treaty obligations or harvesting rights, for example, or when institutions exercise power over Aboriginal lives, such as in residential school policy or application of the *Indian Act*.

The overarching theme of the *Report of the Royal Commission on Aboriginal Peoples* was renewing the relationship between Aboriginal and non-

The Canadian government is in a vulnerable position with this new movement into reconciliation. It would be nice to offer them guidance. We can offer tangible ideas to assist the government in identifying parts of the relationship that can be changed in the immediate, intermediate, and long range. What needs to be changed in that relationship? Which policies perpetuate the pain? Which ones need to be discontinued?

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

Aboriginal peoples in Canada. The scope and complexity of that undertaking was addressed in RCAP's five-volume report to which the Truth and Reconciliation Commission has been directed as a resource on which to build. While the current work of reconciliation will focus specifically on the context and impacts of residential schools, testimony invited before the Commission and exploration of the history, purpose, and consequences of the schools will inevitably extend into broad systemic issues.⁷ The advice of the Indian Residential School Survivor Committee and the experience of the Aboriginal Healing Foundation, particularly its *Final Report* (2006), will be especially useful in maintaining focus on the residential school experience and its Legacy.

In the course of its work over the past decade, the Aboriginal Healing Foundation (AHF) has encountered many gifted individuals whose life and work have been dedicated to promoting justice and reconciliation in individual, community, and societal relationships here in Canada and abroad. Moved by the inspiration of the late Gail Guthrie Valaskakis, Director of Research, the AHF invited a cross-section of such persons to consider and submit for publication what they would wish to convey to commissioners newly appointed to Canada's Truth and Reconciliation Commission. We also initiated conversations with AHF Board members and Aboriginal youth, whose reflections in brief are presented throughout this book.

Each paper is introduced with a brief biography of the author and a summary of themes addressed. The editorial group has tried to respect the intent and language of the submissions received, editing for clarity with a light hand. We hope that the diversity of voices and perspectives represented here will prove stimulating and informative, not only to the Truth and Reconciliation Commissioners, but to a broader audience as well.

The collection is organized in four sections. Readers are invited to follow a path that leads from truth-telling through the territory where the ongoing legacy of residential schools and colonialism is laid bare, as background to the next stage: exploring formal actions and informal developments, in Canada and abroad, in pursuit of justice and reconciliation. The fourth section of the book acknowledges the perspective that the personal and collective transformation at the heart of reconciliation is often experienced and understood as spiritual renewal that carries with it an ethical obligation to take concrete action.

Section 1: Truth-Telling has a strong historical component. Fred Kelly brings together the perspectives of a boy in residential school trying to make sense of contradictory experiences, an adult political leader and participant in

policy deliberations, and an Elder embracing his traditional spirituality and the possibility of reconciliation with those who inflicted harm on children and on peoples. Brian Rice and Anna Snyder elaborate on the history of the relationship between Aboriginal peoples and evolving Canadian society. They provide an overview of the role of truth and reconciliation commissions and the particular challenges of restoring relationship in a post-colonial settler society.

Tricia Logan shares her learning as a young Métis person searching out evidence of Métis experience in prairie residential schools in the face of institutional indifference and inconsistent record-keeping. Her paper provides glimpses of the distinct experience of Métis students and the way in which their treatment in the residential school system mirrored their treatment in the larger society. John Amagoalik writes passionately about Inuit efforts to speak their truths to a dominant society that persists in affirming a different reality. He argues that conciliation has to come before reconciliation.

In the final paper in this section, Stan McKay writes from the vantage point of a residential school Survivor and a church leader who has spent much of his life trying to build bridges between Aboriginal and non-Aboriginal societies. He points to the fundamental social change that is required to support reconciliation, and he proposes that a new understanding of treaties, as covenants that bind Aboriginal and non-Aboriginal peoples together in mutual responsibility, may be the avenue for creating a shared future.

Section 2: The Legacy Lives On, adopts a different tone, revealing how injuries suffered in the past are replicated in contemporary circumstances. Beverley Jacobs and Andrea Williams report on the initiative of the Native Women's Association of Canada to bring attention to hundreds of missing and murdered Aboriginal women across Canada. Research in the Sisters in Spirit project connects the victimization of Aboriginal women to policies that marginalized and undermined the role of women, making them vulnerable to exploitation and violence. Family disruption as a result of residential schools has contributed to severe risks to women's safety, risks that are compounded by unresponsiveness amounting to scandalous neglect by police and community institutions.

Rupert Ross, a long-serving Assistant Crown Attorney in northwestern Ontario, paints a disturbing picture of the secrets surrounding student victims of abuse who became abusers, of family members traumatized by the lengthy removal of their children who do violence to returnees, and of the emergence in some communities of a generation of damaged children who have never been

exposed to models of empathetic, pro-social family relationships. Ross points with cautious optimism to the restorative impacts of community healing initiatives based on traditional values.

Cindy Blackstock marshals evidence of the high rates at which First Nations children are being separated from their families, so that the number of children currently in alternative care exceeds the number in residential schools at their peak. She argues forcefully for reorientation of child welfare approaches, supported by adequate funding, to ensure that “saying sorry” will not have to be repeated in the next generation.

A moving reflection on resilience by Madeleine Dion Stout is like a splash of colour on a dark canvas. Madeleine shares moments and images that nourished her spirit as a child in residential school and continue to work transformation in her as an adult and a grandmother.

Section 3: Exploring Paths to Reconciliation presents conceptual analyses and case examples of reconciliation initiatives internationally and in Canada. Jennifer Llewellyn draws on her experience with the South African Truth and Reconciliation Commission and United Nations consultative groups to set out principles of restorative justice and their application to bridging the gap between truth and reconciliation. Robert Joseph, a Maori professor, elaborates a similar concept of conciliatory justice and presents an insightful analysis of the many forms of denial that impede the acknowledgement of harms and mute the moral demands of reconciliation in democratic societies. His case study of conciliatory justice processes surrounding a land claim in New Zealand draws on research with his own tribal group. Brad Morse provides a thought-provoking examination of the role of authentic apology in reconciling historical wrongs. He cites Canada’s approach to reparations involving Japanese, Chinese, and other segments of Canadian society and makes the case that apology may decrease rather than increase the risk of liability, contrary to conventional legal opinion.

John Bond brings Australian experience to the collection, describing the popular reaction of Australian citizens to the report *Bringing Them Home*, which documented the removal of mixed heritage Aboriginal children from their families for placement in institutions and foster homes. While lauding the work of the National Sorry Day Committee in pressing the government for action on reconciliation, Bond argues that improvement of basic human services and closing the gap in life expectancy is a necessary follow-up to apology. Debra Hocking is one of the Stolen Generation in Australia who was cut off from her family and suffered abuse in foster care. Her paper documents

her struggle against bureaucracy to restore connection to her family and her identity and Elders who taught her compassion. Debra has become a leader and spokesperson for human rights and Indigenous reconciliation, an honouree of the United Nations and her home state of Tasmania.

Section 4: Journey of the Spirit begins to chart a course from personal reconciliation with a painful past to action to heal the alienation between Aboriginal people and Canadian society. Garnet Angeconeb, an Anishinaabe, was one of the first Survivors who broke silence to disclose sexual abuse in residential school. In interviews with Kateri Akiwenzie-Damm, Garnet retraces his journey from early years, through separation, suppression of memory and feeling, disclosure, and finally coming to forgiveness. He modestly omits to mention that in the course of his journey he became a journalist and manager of a media network serving a vast region of northwestern Ontario, a husband and father, a warrior of reconciliation, and a stalwart member of the Board of the Aboriginal Healing Foundation.

David Joanasie is an Inuk youth who reflects on his good fortune at having been reared with appreciation for his culture and fluency in his language. His view is that financial payouts have a limited effect in healing and reconciliation. He proposes that part of the compensation be directed to a community trust to support wellness, scholarships, and conservation of language and culture. Bill Mussell, a Sto:lo educator and mental health advocate, reflects on how cultural grounding in a strong family serves to protect individuals from the impacts of destabilizing influences from the surrounding society. He provides an example of how a decolonized model of adult education can deflect the damage inflicted by the residential school system. Bill emphasizes that respect for Indigenous knowledge and ways of knowing fostered in elementary and secondary curricula is a necessary building block for reconciliation.

David MacDonald is a long-term participant in dialogue within the United Church and with the Aboriginal community. He sees that the years of alienation and oppression resulting from Indian residential schools require a concrete response, and he issues a call to the churches to assume leadership in effecting change. David puts forward a dazzling list of ideas for collaborative action to bring people together, break down stereotypes, and repair the breach that divides us. Maggie Hodgson, another Survivor, has been in the forefront of healing and cultural renewal for a quarter of a century. She cites the undermining and banning of ceremony as a principal cause of current demoralization. Her call to action is directed pointedly to her First Nation peers to reclaim their ceremonies and their responsibility for ethical choices, quoting an Elder's maxim: "It's up to you."

The final article in this section is by Marlene Brant Castellano, a member of the editorial team. Marlene draws on research of the Aboriginal Healing Foundation (AHF) and the 2006 *Final Report* of the AHF's first mandate to articulate a holistic approach to reconciliation. With graphics to highlight key concepts, Marlene draws parallels between processes of healing at individual and community levels and the stages of acknowledgement, redress, and healing that prepare us for reconciliation. She proposes that the transformation to a state of wholeness and *agency*, in the case of reconciliation, is made possible by asking and offering forgiveness in a climate of safety and an attitude of mutual trust.

The *Conclusion* by the editorial team, without attempting to summarize the wealth of experience and diversity of insights offered to illuminate the meanings of reconciliation and the possibilities of achieving it, considers the imperatives for action that emerge from the preceding articles.

NOTES

¹ Royal Commission on Aboriginal Peoples (1996). Report of the Royal Commission on Aboriginal Peoples. Volume 1: Looking Forward, Looking Back. Ottawa, ON: Minister of Supply and Services Canada.

² Royal Commission on Aboriginal Peoples (1996:601–602).

³ Royal Commission on Aboriginal Peoples (1996:385).

⁴ Indian and Northern Affairs Canada (1998). Statement of Reconciliation. Retrieved 23 January 2008 from: http://www.ainc-inac.ca/gs/rec_e.html

⁵ Indian Residential Schools Resolution Canada (2006). Indian Residential Schools Settlement Agreement. Retrieved 23 January 2008 from: http://www.irsr-rqpi.gc.ca/english/pdf/Indian_Residential_Schools_Settlement_Agreement.PDF

⁶ Schedule “N” of the Indian Residential Schools Settlement Agreement, Mandate for the Truth and Reconciliation Commission is attached as Appendix 1.

⁷ See Schedule “N” Sections 4(a) and 7.

SECTION 1
TRUTH-TELLING



Photo: Courtesy of Janice Longboat

FRED KELLY
KIZHEBOWSE MUHKWA – PIZHEW NDOTEM
KIND WALKING BEAR – LYNX CLAN

Fred Kelly is from the Ojibways of Onigaming and is a citizen of the Anishinaabe Nation in Treaty Number Three. He is a member of *Midewewin*, the Sacred Law and Medicine Society of the Anishinaabe. He is a custodian of Sacred Law and has been called upon to conduct ceremonies across Canada and in the United States, Mexico, Japan, Argentina, and Israel. He is head of Nimishomis-Nokomis Healing Group Inc., a consortium of spiritual healers and Elders that provides therapy to victims of the trauma and the horrific legacy of the residential school system. Fred is a survivor of St. Mary's Residential School in Kenora, Ontario, and St. Paul's High School in Lebreton, Saskatchewan. He was a member of the Assembly of First Nations team that negotiated the historic *Indian Residential Schools Settlement Agreement* and continues to advise on its implementation. He has served as chief of his own community, grand chief of the Anishinaabe Nation in Treaty Number Three, and Ontario regional director of Indian and Northern Affairs Canada. Fred is fluent in the Anishinaabe and English languages and is a personal advisor to numerous First Nation leaders.

Confessions of a Born Again Pagan is written in the form of a confession. The author, now a distinguished Elder, imagines himself back in the confessional he permanently vacated at the age of fourteen. He recounts his early years in residential school and examines European ideologies and Canadian history as a way of understanding what happened to him as a boy and to his ancestors in the centuries before his birth. As a counterbalance to his early indoctrination in Catholic cosmology, he presents the Anishinaabe creation story. Fred described the thinking behind his article in the following way:

Reconciliation processes can be personal and societal. In the personal sense, reconciliation is the means by which one regains peace with oneself. Collective reconciliation is the process that brings adversaries to rebuild peaceful relations and a new future together. Both form the thrust of this narrative specifically on the legacy of the Indian residential schools and the conflicting interests among the policy makers, the operators, and the survivors of that system.

CONFESSION OF A BORN AGAIN PAGAN

Father, forgive me for I have sinned.

Pity the god who made me in his image. I just turned sixty-five and have not been to confession since 1954 at the age of fourteen, the experience of which is clearly etched in memory. It was an acrimonious and a deeply traumatic event in my life in residential school. I swore I would never go back.

At that time, the confessional was an enclosed stall tucked in the back of the chapel. It had three compartments, the central cubicle being reserved for the priest who represented the all-forgiving Christ. On each side was a tiny compartment where the sinner knelt on an oak step to whisper a prepared recitation of sins through a little screened window, following which the deserved penance was meted out. The priest would then slide the window shut and open the other side to hear that confession. Usually, the penance consisted of a set of Hail Marys from the rosary in a number commensurate with the gravity of the confession. Sins were divided into two basic categories of contravention against the prescribed doctrine: mortal sins being major transgressions and venial sins being minor infractions. A sinner wearing a mortal sin upon death would go to hell. One carrying venial sins would go to purgatory. An unbaptized infant, presumed upon death to carry Adam's original sin from the Garden of Eden, could not enter into heaven until the final Judgment Day and would, therefore, wait in a place called "Limbo." But sins and punishment were the central preoccupations then. Such is my memory, although much seems to have changed in the Roman Catholic Church since then.

Confession is now the Sacrament of Reconciliation. The new rite may be done in three formats. The first is a celebration with one penitent. The second is a group confession, but only individual absolution is received. The third is group reconciliation where a general confession is performed and absolution is granted to all participating penitents. While the revamped sacrament still has to do with the confession of sins, the emphasis is now on healing where sinfulness is the disease and sins are its symptoms.

My confession will, more or less, follow the old protocol. It is intended for you to understand what I have gone through to get here. It will also give you my perspective on how we got to this necessary point of reconciliation. In addition, there are historical factors from the Old World thinking that have contributed to the breakdown of peace and harmony upon which Christianity, your faith, and my traditional spirituality are founded. These will be reviewed because unless we address them together, any

I was literally thrown into St. Mary's Residential School at four years of age after my father died and my mother took sick immediately thereafter.

hope of reconciliation in our society is seriously undermined. Father, given the chance, we will come to accept what we have in common and learn to respect our differences.

How did I get here?

I was literally thrown into St. Mary's Residential School at four years of age after my father died and my mother took sick immediately thereafter. She would spend the rest of her life in and out of the hospital. My very first memory of my entry into the school is a painful flashback. For whatever reason, I am thrown into a kneeling position. My head is bashed against a wooden cupboard by the boys' supervisor. Instant shock, the nauseating smell of ether, more spanking, then numbness; sudden fear returns at the sight of the man. Was this discipline or just outright cruelty? This had never happened to me before. Where is my dad? Where is my mother? They're not here. Where are my three older brothers? Step in if they dare—they see what's happening, they watch in horror, but they are helpless. *Father, in time, that supervisor would be consecrated as a holy priest into your order.*

You and the Oblate Fathers of Mary Immaculate and the Sisters of Saint Joseph ran the school. French was always used among yourselves and the nuns who often called us "Merde cochon!" We had to learn English, it being the only language permissible among ourselves. Latin was the official language of religious rites and rituals then. Although the language was foreign to me, I quickly became proficient in Latin recitations of the Mass as a devoted altar boy. For our part, we were strictly forbidden to use our own language at any time under pain of severe punishment.

From four to seven years of age, while the other children went to their classes, my time was spent alone in the cavernous playroom. It was dark and dreary. The room seemed haunted with strange shadows dancing about in the corners. There was no kindergarten, so occasionally a playmate would be allowed to spend time with me. When she could, my mother would take me home until she had to be readmitted into the hospital. Finally, I could begin classes at seven. The first classes were spent memorizing the catechism, the manual of questions and answers that taught everything all young Catholics must know about their religion. The first question: Who made you? God made me. Second question: Why did God make you? God made me to love him, to serve him in this world, and to be happy with him in heaven forever. There were many others.

As intriguing as some of the teachings became over the years, we could never ask why the answers were as they were. To question was to doubt, a manifestation

of the devil's work. To analyze was to mock God. To argue was to commit blasphemy, a mortal sin. The answers, we were told, came from God through the Pope, who was infallible. We were blessed with the true Word of God, and we were to pray for the strength to simply believe. We accepted everything, and we memorized the catechism dutifully. There was a heaven and that's where we all wanted to go, but there were gnawing thoughts always reined in by my fear of the alternative. The notion of going to hell for eternity was absolutely frightening to a six-year-old, especially one with an active imagination like mine. One day, I asked the nun who served as my teacher and catechist to explain hell. First, she asked me about any previous burns. Every little boy knows the excruciating pain of fire. By way of comparison, she took me to the window and pointed to the thermometer outside on which the highest mark was 212 degrees Fahrenheit. She said that the sun is a million times hotter than that, and hellfire is many times hotter still. How does one not used to mathematics relate to a million? In our traditional system of counting, one million is conceptualized as running out of numbers once. That is heat beyond comprehension. If I die with a mortal sin in my soul, this is where I am going. Should I die with a venial sin, I am going to purgatory with fire as hot as hellfire except not for eternity but only until my sins have been purged. The young impressionable mind is stricken with absolute fright.

In the darkness of the dormitory and alone in bed, I am suddenly overcome by cold sweat. Although baptized into the Catholic faith, my poor unsuspecting mother still adheres to her traditional spirituality. A little boy so loves his mother that he never wants to see her hurt. Yet, in these circumstances, she is so precariously close to the door of hell. Satan will take her straight to the fires of eternal suffering never to get out once she is there. Pagans and sinners are condemned souls unless they join the faith. It's up to me. From here onward, my prayers will be perfectly sincere and ardently pious. You will never see a more dedicated altar boy offering masses served for his mother's salvation. But what about my daddy who died so suddenly? Would such a kind and loving man go to hell? If he went with a mortal sin, the answer is painfully obvious, I am told. I will never know if my prayers are too late.

My grandparents who had refused baptism because of their traditional beliefs would also be in hell for having spurned the chance to be saved. All my ancestors, for that matter, are in hell because they believed in something other than the only true Church of God. Indeed, so are all sinners and Protestants. Protestants, what are they doing there? Risking wrath but feigning innocence, I once asked in catechism class, "How do we know that ours is the one and only true faith?" My first brimstone and hellfire sermon was to follow. When she calmed down a notch, she called me to the front of the classroom where

so many children had been humiliated before. “Spell the word ‘Protestant,’” she yelled. Her mocking tone sounded as though the word was beyond my capabilities to spell. No trouble: P-R-O-T-E-S-T-A-N-T. Now she demanded that the last three letters be struck. The naked word stood exposed. “You see, the Protestants are protesting against the true Word of God,” she proclaimed loudly to make the point. Through no choice of his, one of my brothers had gone to a Protestant residential school. Was he going to hell? “Well, he’s a Protestant is he not? Freddie, you just don’t listen,” she replied with an obvious air of vindication.

At eleven years of age, my curiosity turned into voracious reading in search of some expanded explanations perchance to reinforce my religion. Nothing was forthcoming. We moved on to grades seven and eight at a time when we were also becoming young men and women with the psychobiological changes that come with normal adolescence. More sins, but that’s another story. For me, this was not an easy time. Blind faith was not doing for me what it seemed to do for others. My search became even more desperate. Outside books might do the trick. But my quest ran smack into the *Index Librorum Prohibitorum*, the Catholic List of Prohibited Books. Another priest explained that publications in the list were banned because their topics were those of heresy, moral depravity, and other matter written by atheists, agnostics, and all manner of degenerate philosophers. The List was discontinued in 1966, years after my time of desperation. The books obviously posed a danger to all of us in the faith, and this explained why no outside literature was available. We were being protected. It also explained, in part, why our personal letters to and from the school were censored. But the idea of books on philosophy tweaked my inquisitive mind even more. *Father, I sinned in coveting such books. What’s more, I sneaked out of the school in search of them. I sinned again.*

We were usually confined to the school grounds and our time was regulated by a regimented schedule. On Saturdays, however, we had no classes and we might then be allowed to go into town with our parents. Otherwise, if we had the money, we might on occasion be escorted to a movie by the supervisor. Rarely did I have money. But on one memorable day, I went with the group and sneaked away during the show for a quick visit to the local library. Under no circumstances was anyone allowed to wander off alone. Breaking this rule would lead to prohibition from ever going into town again in addition to other punishment. When I arrived at the front desk, the matronly librarian pointed me to the children’s section downstairs. But I told her that I was looking for the section on theology and philosophy. She smirked in bemusement. This town was known for its racism and Indians were not simply allowed to enter any public place. And what’s this, an Indian kid looking for philosophy? Every aspect

of her demeanour seemed condescending, but she humoured me and led me to a row of books. She bowed her head slightly to allow her glasses to slide down her nose just so far. She peered and pointed her pencil towards the section. At once my heart palpitated with fear and excitement. This time, I had gone way too far. A title jumped out at me: *Why I am not a Christian* by Bertrand Russell,¹ the renowned atheist, but of course unknown to me at the time. This book had to be mine. I stole it. *Father, I felt relieved that I was not alone after all.* Then another book struck me with awe: *Living Philosophies*, a collection of personal credos by Einstein² and other luminaries. There were more books on questions that had caused me so much anguish. Here was the Holy Grail. The hidden treasure was here. The library became a private and secret destination. *Father, I sinned and would knowingly continue to do so again and again. I had defied the List of Prohibited Books. I had now eaten of the forbidden fruit!*

Father, on the occasions we talked openly, you seemed to understand that mine was a questioning mind. Believing nevertheless that my search was evil, my only recourse was confession and prayer, more penance and contrition, then more prayers. The story of doubting Thomas, the Apostle who had to see and feel the wounds of Christ before he was convinced of the holy resurrection, rang so true to me in my predicament. The mind craved the sanctified truth of Catholicism, but there was also a compelling need to understand. My inquisitiveness did not so much need evidence as it sought plausible explanations to my perplexities. The catechism was so arbitrary and reasoned discussions never took place. Among many others, there were questions about the Immaculate Conception. The Ascension of Christ needed at least some discussion. There appeared to be a contradiction in an all-forgiving God and his eternal punishment for a temporal sin carried at the time of death. There was a nagging question of predestination versus free will. There was unkindness and intolerance in a Church built on the teachings of Christ who had spoken on behalf of the poor, preached about understanding, and even taught acceptance of human frailties. It was also impossible for me to accept that my ancestors, who had not known about the religion prior to the arrival of the missionaries, could be condemned to hell for not following the Catholic way of life. I was told that these were some of the mysteries that one must simply accept as part of salvation. But by natural disposition, I was not easily given to blind faith.

At fourteen and going into grade nine, I went through what all Catholic boys must go through at one time or another. *Your dedication and apparent peace of mind was an inspiration. Father, the priesthood seemed attractive.* Here the answers and my life's work would surely be found. With great surprise, my application to enter the seminary was accepted. But something happened on the way to my Damascus.

Questions about my religion persisted and constituted the most oft-repeated recitations in the confessional. So monotonously recurrent must my sins have become that the priest in the confessional that day finally stirred from his usually passive composure and asked impatiently if this was Freddie. "Yes," I replied with surprise and nervousness. He admonished sternly, "Why don't you get these doubts out of your head and be a good Catholic boy like you're supposed to be." The forgiving Christ, represented by the priest, suddenly became a scowling human being, indeed a very intense, scolding old man. In the classroom, the use of the name 'Freddie' was usually followed by a painful clout to the ears, a deafening shock to the eardrums that left a burning sensation and a lingering hum fading into a distant buzz. My reaction was impulsive and my words came out in a quick defiant whisper: "If I were a good Catholic boy, I wouldn't be here." Outside the confessional, this priest doubled as the principal of the school. I was in very deep trouble. "Don't talk back," snapped my confessor. "Well, don't give me hell," I blurted unaware of my prophetic words. This was a sacrilege, an act of unforgivable irreverence to Christ, the confessional, the sacrament, the priest, and everything the Church stood for. Stunned by my own insolence, I arose and slithered out of the confessional like the condemned serpent banished from the Garden of Eden. I was certain of only one thing, excommunication from the Church leading to eternal damnation. Stepping back into the chapel, the altar bells rang as the chalice was raised in consecration, the most sacred part of the Mass. But instead of all heads bowed in reverence as the wine was being transformed into the blood of Christ, the whole congregation, so it seemed, was turned back toward our commotion in the confessional. This would be my last time in the confessional, although I continued to attend religious ceremonies in this state of mortal sin for the rest of my years in residential school, thus compounding my damnation. *This was surely the time to leave school. I no longer belonged here and I was certain that I no longer belonged in the faith. Yet, Father, I was transferred to another residential school even further from home. I was sent from St. Mary's in Kenora, Ontario to St. Paul's High in Lebret, Saskatchewan.*

Now, how did we get here? It's a long story, to be sure, but I will give you a condensed version.

EUROPEAN IDEOLOGIES

Given the Eurocentric notion of the discovery of North America, finding the new lands was an act of divine providence that rewarded Christian explorers from the Old World in their search for new riches and exotic resources. For the Catholic Church, the prospect of saving untold multitudes of heathens from their godlessness was a daunting mission, yet, nevertheless, one that had to be done in the name of the European God.

Scandinavian, Spanish, Italian, Portuguese, Dutch, French, English, and Russian explorers had all left a footprint on the land and an indelible imprint on the Aboriginal people they had made contact with. All had invariably believed that the new lands were virgin wilds inhabited by uncivilized savages. Even after they came to be considered human after all, and not without fierce and prolonged debate among church and legal scholars, Indigenous peoples of Turtle Island were defined according to Old World conceptualizations. Throughout all the activity of discovery, settlement, and battles for control of North America, two premises were absolutely clear. First, Christian law did apply to the new world. Second, claims to the new lands could be validated only in terms of European law, not according to Indigenous laws.

Turtle Island, in its own right, was a continent populated by a variety of peoples who shared, in general terms, a common land and civilization in much the same way the settlers did in the Old World. The people of the New World “had occupied all habitable zones from the Arctic tundra to the Caribbean isles, from the high plateaus of the Andes to the blustery tip of Cape Horn. They had developed every kind of society: nomadic hunting groups, settled farming communities, and dazzling civilizations with cities as large as any then on earth,”³ according to Ronald Wright in his book *Stolen Continents*.

In terms of numbers, Olive Dickason, arguably the most authoritative Aboriginal historian in Canada, writes in *Canada's First Nations*: “Estimates for the hemispheric population have been going steadily upward in recent years, and have reached a very high 112.5 million for the fifteenth century on the eve of European arrival.”⁴ According to Dickason, this “would have been higher than the 70 million estimated for Europe (excluding Russia) at the beginning of the sixteenth century.”⁵ She adds that for North America north of the Rio Grande, estimates range up to eighteen million and even higher for the early sixteenth century.

SACRED RELATIONSHIP WITH THE LAND UNDONE

As you know, Father, the British defeated the French in 1760 and thereby assumed supremacy over what would become Canada. Relationship between the First Nations and Britain developed in three successive and overlapping stages in which Christianity, through its various churches, played a pivotal role. First, the Indians were considered separate and special peoples to be dealt with as friends and allies. In the second stage, the *Royal Proclamation of 1763* instituted a treaty-making process between the British Crown and the Indigenous nations. The third stage was an era of special legislation that overran the good spirit and intent of the treaties. Henceforward, the official policy of the government was

To take the territorial lands away from a people whose very spirit is so intrinsically connected to Mother Earth was to actually dispossess them of their very soul and being; it was to destroy whole Indigenous nations.

to do away with the Indian problem once and for all. The *Indian Act* would be the means to that end.

When they created Canada in 1867, the federal and provincial governments divided jurisdictional powers among themselves. Contrary to the spirit and intent of the treaties, traditional territories of the First Nations came under provincial jurisdiction. By this division, unfettered access to the natural resources that had sustained Indigenous peoples since time immemorial was now denied by governments that totally disdained First Nations and disregarded their treaty rights. All this occurred without their consent. The provinces, confronted with challenges to such deceit and treachery, even to this day rationalize that the rule of law must prevail in Canada, but never mind that treaties constitute part of the rule of law. The damage to the traditional lifeways was irreversible and created a toxic relationship between First Nations and the provinces that continues to this day. It was inconceivable that any other governmental action could have such an adverse effect on the lives of the First Nations. More was to come.

By Section 91(24) of the *British North American Act*, the federal government reserved for itself exclusive and total control over “Indians, and Lands reserved for the Indians.” Out of these seven words came the *Indian Act* that would effectively destroy all other aspects of First Nation life and reduce the people to a state of tutelage.

Identity and citizenship, the most fundamental of human rights, were stripped away and replaced by membership in “bands” created by the *Indian Act*. Also, reserves that had been set aside pursuant to the treaties were placed under the *Indian Act*, the crude administration of which quickly turned them into veritable internment camps. Among many other federal policies, a segregated system of justice was created under the *Act* that gave the Indian agent total control over the behaviour of Indians on and off reserve. While the agent did not seem to encourage extirpation, neither did he appear to discourage it. He did abide and enforce total subjugation of Indians as wards of the government. Among other prohibitions, traditional spiritual and religious practices were also outlawed. It was illegal to raise money for claims against the government, and lawyers were not permitted to advocate for Indians. It was also against the law to pursue land claims.

To take the territorial lands away from a people whose very spirit is so intrinsically connected to Mother Earth was to actually dispossess them of their very soul and being; it was to destroy whole Indigenous nations. Weakened by disease and separated from their traditional foods and medicines, First Nation peoples

had no defence against further governmental encroachments on their lives. Yet they continued to abide by the terms of the treaties trusting in the honour of the Crown to no avail. They were mortally wounded in mind, body, heart, and spirit that turned them into the walking dead. Recovery would take time, and fortunately they took their sacred traditions underground to be practiced in secret until the day of revival that would surely come. *Father, that day is upon us!*

CANADA'S STATEMENT OF RECONCILIATION

In 1998, Canada issued a *Statement of Reconciliation*, its formal response to the Report of the Royal Commission on Aboriginal Peoples, the most exhaustive study ever done on the subject. It read, in part:

The ancestors of First Nations, Inuit and Métis peoples lived on this continent long before explorers from other continents first came to North America. For thousands of years before this country was founded, they enjoyed their own forms of government. Diverse, vibrant Aboriginal nations had ways of life rooted in fundamental values concerning their relationships to the Creator, the environment, and each other, in the role of Elders as the living memory of their ancestors, and in their responsibilities as custodians of the lands, waters and resources of their homelands.⁶

It went on to say:

Sadly, our history with respect to the treatment of Aboriginal people is not something in which we can take pride. Attitudes of racial and cultural superiority led to a suppression of Aboriginal culture and values. As a country, we are burdened by past actions that resulted in weakening the identity of Aboriginal peoples, suppressing their languages and cultures, and outlawing spiritual practices. We must recognize the impact of these actions on the once self-sustaining nations that were disaggregated, disrupted, limited or even destroyed by the dispossession of traditional territory, by the relocation of Aboriginal people, and by some provisions of the Indian Act. We must acknowledge that the result of these actions was the erosion of the political, economic and social systems of Aboriginal people and nations.⁷

How many Aboriginal people formally accepted the statement as an apology is not known. For First Nations, at least, it was reasonable to expect a more

enlightened approach from the federal government thereafter. Instead, the government reverted to its previous approach of unilaterally imposing its policies on them. The minister of the day, who claimed to be of Aboriginal extraction, tried to ram a suite of legislation through Parliament without the approval of First Nations. This included a *First Nations Governance Act* that was seen as a blatant and irrevocable breach of First Nations' inherent rights. First Nations across Canada rallied to defeat it. And they did.

COLLECTIVE RECONCILIATION

Human conflict is a clash of wills and interests over an intractable issue. Reconciliation is a process that enables adversaries to rebuild relations toward a new future together. As such, it involves ongoing personal and collective processes. Reconciliation has gained currency in the larger societal context where people have experienced a period of domestic conflict. There is no standard definition or model for reconciliation and understandably so. The variables will depend on the circumstances, the nature of the issues, and certainly the adversaries themselves. There is, however, general agreement on some common features of an effective process among practitioners of reconciliation, such as those recited by Hizkias Assefa in *The Meaning of Reconciliation*:

- a) Honest acknowledgment of the harm/injury each party has inflicted on the other;
- b) Sincere regrets and remorse for the injury done;
- c) Readiness to apologize for one's role in inflicting the injury;
- d) Readiness of the conflicting parties to 'let go' of the anger and bitterness caused by the conflict and the injury;
- e) Commitment by the offender not to repeat the injury;
- f) Sincere effort to redress past grievances that caused the conflict and compensate the damage caused to the extent possible;
- g) Entering into a new mutually enriching relationship.⁸

Father, there are those who believe that a generic reconciliation process is a Western-based concept to be imposed on the Aboriginal peoples without regard to their own traditional practices of restoring personal and collective peace and harmony. We must therefore insist that the Aboriginal peoples have meaningful participation in the design, administration, and evaluation of the reconciliation process so that it is based on their local culture and language.

If reconciliation is to be real and meaningful in Canada, it must embrace the inherent right of self-determination through self-government envisioned in the treaties, and it must be structured to accommodate the cultural diversity

and regional differences in concepts, approaches, and time frames of the First Nations in Canada. The courts have struck down many of the impediments to reconciliation, but the government takes those decisions more as limitations on its unilateral powers than as opportunities to engage First Nations in the implementation of the treaty provisions. Where government refuses to implement Aboriginal rights and the original spirit and intent of the treaties, the citizens of Canada must take direct action to forcefully persuade its leadership. Treaties and memoranda of agreement are simply the stage-setting mechanisms for reconciliation. There must be action. *Let me put it more succinctly, Father, you and all Canadians have treaty rights too. We all have fundamental rights under the law of man and the Creator. That behoves us to come together.*

You see, Father, sovereignty and the inherent right of self-determination constitute the very spirit of the treaties and the substance of the inherent rights of the Indians, Inuit, and Métis. It is upon these rights and obligations that our relationship is founded. That is why we insisted they be enshrined in the Canadian Constitution as well as in our own traditional constitutions. I have some knowledge of such dynamics having had the honour of being one of the First Nations' negotiators in the repatriation of Canada's constitution in the 1970s and 1980s.

THE RESIDENTIAL SCHOOL SYSTEM

If they were dispossessed of their very soul and being, what was left of the First Nations for the churches? *Father, I have already made reference to the complicity between the churches and the government. To borrow some sentiment of the times, there were still many wretched souls to be converted and, if the Indians could not be exterminated, many more would be born.*

From 1831 to 1998, residential schools into which Indian children were forcibly placed operated across Canada.⁹ The churches would run these schools. At first the schools were located near reserves, but by 1900, it became evident that the policy of assimilation was not working. The children had to be taken away from the pagan influence of their parents. Changes to the *Indian Act* enabled the schools to relocate away from reserves, which they did. Further legislative changes to the *Indian Act* in 1920 allowed for children between the ages of seven and fifteen to be forcibly removed from their parents and placed into these schools. Some families withdrew into their traditional territories to keep their children away from the churches and the school. It then became punishable by law, not only for the children to be out of school, but also for parents to withhold children from attending these schools.

In the beginning, we were in balance with the four elements: land, water, fire, and air. They took away our land and waters and repressed our fire (energy).

All that was left to us was the air. Then the residential school was introduced to take over our souls and our freedom.

Richard Kistabish
AHF Vice-chair
Algonquin
Val-d'Or, Quebec

Immediately upon entry into the school, the staff began to beat the devil out of us. Such was my experience. We were humiliated out of our culture and spirituality.

Restrictions on their civil rights meant that “Indians” were not “persons” under the law and therefore had no means of challenging intrusions on their families and communities. For all intents and purposes Indians were considered to be ‘wards of the government,’ and this made it possible and easy for churches to assume legal custody of Indian children in the residential schools. Thus, care and treatment of the children were at the total and unquestioned discretion of the churches and their personnel.

Many changes over the years reflected the various attempts to force assimilation upon us. No amount of brainwashing and punishment had the desired effect of beating the savagery out of us heathens. Certainly there was serious and irreversible damage, but no policy could assimilate us.

Immediately upon entry into the school, the staff began to beat the devil out of us. Such was my experience. We were humiliated out of our culture and spirituality. We were told that these ways were of the devil. We were punished for speaking the only language we ever knew. Fear stalked the dark halls of the school as priests and nuns going about their rounds in black robes passed like floating shadows in the night. Crying from fear was punished by beatings that brought on more crying and then more punishment. Braids were immediately shorn. Traditional clothing was confiscated and replaced by standard issue uniforms. Our traditional names were anglicized and often replaced by numbers. Those who ran away were held in dark closets and fed a bread-and-water diet when they were brought back. Any sense of dignity and self-esteem turned to self-worthlessness and hopelessness. We came to believe that ‘Indian’ was a dirty word, oftentimes calling each other by that term pejoratively. Many of us were physically beaten, sexually fondled, molested, and raped.

The future seemed hopeless. We were incarcerated for no other reason than being Indian. We were deprived of the care, love, and guidance of our parents during our most critical years of childhood. The time we could have learned the critical parenting skills and values was lost to the generations that attended residential schools, the effects of which still haunt us and will continue to have impacts upon our people and communities. In many instances, our role models were the same priests and nuns who were our sexual predators and perpetrators. To be absolutely certain, not all the religious staff committed such sexual atrocities. To their credit, many appeared pure and conscientious in their duties. But having taken their vows of lifelong chastity and celibacy, and even giving them the benefit of any doubt, they were understandably hard-pressed to talk about the act of procreation, personal parenting, and other normal facts of life in a Church that taught us that sex was a taboo subject in school. In fact, there was no such thing as a healthy sex education. Sex

was dirty, and even thoughts about sex were sins—matters, indeed, for the confessional. Touching a girl in any way would lead ultimately to “one dirty act,” said the nuns invariably. Once planted in the mind during the formative years of an adolescent boy, this notion was insidiously inescapable, even sounding implausible. The psychological damage was done. Many fathers to this day are unable to express their love to their children, especially their daughters. Personally, I was not able to hug or kiss my mother until she was seventy-three, the final year of her life.

Father, I tried to rationalize what I saw and experienced. The treatment of children, as horrific as it was, must have been our normal lot for having been the pagan sinners that we had been. Was everything all right? Was it even humane? None of us had any idea as to what the law was regarding children but somehow there was a general feeling that it did not apply to us anyway. Even the crown attorney from town was in the chapel for Mass every Sunday. So things must have been all right, not known, or condoned. Besides, we were afraid to say anything to anyone outside the school. Would anybody believe us anyway? If we told our parents, and they came to our rescue, the police would be called to arrest them. If that were not enough, we were told that violence committed or intended against a person of the cloth was an unforgivable sin deserving of immediate condemnation into hell, but it seemed permissible for them to touch us. Those students who were sexually abused suffered a trauma so severe that it affected them, not only then, but also for the rest of their lives. Uncomfortable as it was, we kept quiet. We would abide the unwritten code among the students: never rat.

Because I came to hate everyone connected to the school and the religion—the nuns, priests, brothers, and the staff—I committed a sin. For that, I repent. And for the times I blamed God for the pain and anguish that we were going through and allowed myself to think in anger that he was mean and wicked, I sinned against him. I am deeply remorseful. For all the things that I personally saw and experienced and knew were wrong but did not report to the authorities, I committed an act of complicity. To all the students in residential schools who were with me and have now passed on, I sincerely regret that I did not fight harder at the time.

Would this nightmare ever end? Finally, after over one hundred and sixty years, the actual nightmare ended. In 1998, the last residential school was shut down, but the aftershocks continue.

THE INDIAN RESIDENTIAL SCHOOLS SETTLEMENT AGREEMENT

The pride I have in being able to learn from the Elders and practice my traditions gives me hope. Our Elders have endured some of the harshest conditions imaginable but still retained their traditional practices and culture and they are willing to share what they know—it's something to have pride in.

David Turner
AHF Board member
Salteaux and African-American
Calgary, Alberta

Many Survivors have pursued a resolution to the intractable issue of the residential school system by launching class actions in various parts of the country. They also directed the Assembly of First Nations to seek a fair and just resolution of the Indian residential school legacy. After signing a political agreement with Canada on 5 May 2005, National Chief Phil Fontaine, himself a Survivor and fierce advocate for redress, assembled a team to negotiate a settlement with Canada and the lawyers of existing class action suits and the churches. The Honourable Frank Iacobucci, former justice of the Supreme Court of Canada, had been appointed as the federal representative at the table. I was named the Elder to the Assembly of First Nations' negotiating team. As such, I advised that that the mandate of the federal representative ought to be consecrated by our Elders before the beginning of actual negotiations. I had the honour to lead the ceremony, which was conducted as a feast in the Sacred Roundhouse using the Sacred Pipe, Grandfather Drum, and Spiritual Songs. The National Chief, with a delegation of Chiefs and other Elders, invoked the Creator to bless the Honourable Judge with kindness, strength, wisdom, and courage. *Ironically, Father, these were the type of ceremonies that were seen by your church as part of devil worship and consequently banned by law in 1884.*¹⁰

Negotiations on an agreement in principle were completed in November of 2005, and Canada has agreed to the *Indian Residential Schools Settlement Agreement*.¹¹ It is now court-ordered and court-supervised. As part of the settlement, an advance payment has already been issued to the elderly. The core package includes (a) a common experience payment for every living Survivor based on a \$10,000 base payment plus \$3,000 for each subsequent year attended or any part thereof; (b) an independent assessment process for the resolution of individual claims for physical and sexual abuse over and above the common experience payment; (c) a healing endowment; (d) a truth and reconciliation commission; and (e) a commemoration fund. The Aboriginal Healing Foundation will administer the healing component, thus enabling it to continue its mandate pursuant to the *Statement of Reconciliation* of 1997.

Father, you will recall in its statement that Canada acknowledged its role in the establishment of these schools and their effects:

One aspect of our relationship with Aboriginal people ... that requires particular attention is the Residential School system. This system separated many children from their families and communities and prevented them from speaking their own languages and from

learning about their heritage and cultures. In the worst cases, it left legacies of personal pain and distress that continue to reverberate ... to this day. Tragically, some children were the victims of physical and sexual abuse.¹²

At the time of its establishment in 1998, the Aboriginal Healing Foundation received a fund of \$350 million to support healing projects across the country. In the *Settlement Agreement*, the foundation will receive another \$125 million one-time healing fund to be disbursed over a five-year period.

Father, this is the biggest and most comprehensive compensation package of its kind ever awarded in the history of Canada. Yet, we know that the harms and injuries committed under the residential schools system can never be adequately addressed by dollars and settlements alone.

As great an achievement as the Indian residential schools settlement is, and all the players in its development are to be applauded, the agreement is only the stage-setting mechanism for personal and collective reconciliation processes that must follow. The real test is in its implementation, and the challenge is in the design that will allow for the widest participation and effect. Somehow, all Canadians and First Nation peoples must be afforded the opportunity to participate.

COLLECTIVE RECONCILIATION VERSUS COLLECTIVE AMNESIA

There are many realities that we need to address. There are those among the Canadian public who would decry the need for any settlement at all. There are citizens who deny the legacy: "It never happened. It can't be true." Others take the position: "Well, I had nothing to do with it. Leave me alone." Misinformed hardliners may say: "You were defeated. Get over it already." Then there are those who simply say in exasperation: "So it happened. Deal with it!"

The sound of pain in any narrative on the legacy left by residential schools is not merely the incessant whining of hypochondriacs seeking to elicit pity. Father, we do not need pity. Your people and our people both need the healing that comes with reconciliation. Experience shows that Canadians, by and large, are a kind and friendly people, almost always politely apologetic and willing to please; a characteristic noted by many other people in the world. Yet, as peace-loving as we are, we are racked by a common history of unresolved grievances resulting from the legacy of the residential schools. We have deep-rooted fears and suspicions about one another. We are prone to blame one another as we lull ourselves into a sense of resignation for corrective action that is beyond the individual—it is too big for any of

us. But Father, you know and I know that it is precisely at the personal level where the process of reconciliation begins and where it has the most profound meaning.

While international conflicts are fought between enemies on a very clear and simple proposition of win or lose, the choice here in Canada is one that must be made among friends and neighbours. We must face the underlying tensions. We must understand them and we must resolve them. Neither side believes that the other is going anywhere. This is home. So, how do we live side-by-side and build a future of prosperity together? We share space in a common land. We constitute a society that is envied by other countries. We are economically interdependent. We have many social ties. Our children are married to one another through which we share generations of grandchildren. So inextricably tied are we that our options are also very clear and simple: we can all win or we can all lose.

In the coming months, there will be much discussion and activity as the *Indian Residential Schools Settlement Agreement* is being implemented. Of special importance will be the Truth and Reconciliation Commission that will enable First Nations and Canadians, in general, to come to an understanding of what really happened, how it happened, and to jointly determine that it will never happen again. Most importantly, it will afford an opportunity for both sides to design a future together. We can retreat to collective denial and amnesia over the legacy of residential schools. Or, we can deal with it. That is the challenge of, and the chance for, collective reconciliation.

What are First Nations doing?

NIMISHOMIS – NOKOMIS HEALING GROUP INC.

The lingering aftershocks require a comprehensive approach that addresses the individual, the family, the community, and indeed, the nation. The trauma in the residential schools was so thorough that it requires a holistic approach to heal the body, mind, heart, and spirit of the residential school Survivor. Strategies differ in application from community to community. Some use the principles of twelve-step programs. Others may use Christian religious rites for therapy. Some will employ outside professionals. Still others may combine traditional and contemporary practices. Depending on the severity of the symptoms, residential or outpatient services may be provided. Whatever works for the individual!

Nimishomis-Nokomis Healing Group, over which I preside, is a consortium of traditional healers who have combined their collective strengths, knowledge,

and traditional resources to provide healing and therapy to all people regardless of gender, nationality, age, or residence. We operate a project funded by the Aboriginal Healing Foundation. Our principal clients are survivors both on and off reserve—men, women, children, and elders. Four seasonal healing gatherings are held in a Sacred Roundhouse. (Many of these have now been reconstructed by Anishinaabe First Nations, indicating evidence of community reconciliation.) Survivors are notified through their community offices and service agencies. They come of their own volition and are encouraged to share and expose their trauma. The survivors, in many instances, continue to have their lives shaped by the experiences they suffered in a residential school. As a consequence, their families and communities share the effects of what is now known as post-traumatic stress disorder (PTSD).

There is a parallel between the phases of the grieving process used to deal with the death of a loved one and treating PTSD related to residential schools. But instead of having lost a loved one, the death experience has been inflicted on the Survivor himself or herself. The lingering effects are the symptoms of unresolved grief. The phases, of course, do not occur necessarily in the order offered here, but consider the following:

Shock is the condition associated with circulatory failure and sudden drop in blood pressure and characterized by pallor, sweating, a fast but weak pulse, and often fainting. This condition can be brought on by pain, fright, or injury. Flashbacks and memories also bring on the same symptoms. Nightmares are not uncommon. Many Survivors suddenly break down in therapy sessions caused by the sudden awareness of the range and depth of their own trauma. Our approach is to assist Survivors explore themselves through a process of self-revelation and self-assessment.

Panic usually sets in after the initial shock. A Survivor suffers disorientation and confusion, which often emerge as personal dysfunction or aberrant behaviour that also has consequences for the family and the community.

Denial almost automatically follows. This is a protective reaction that allows the shock to be absorbed more slowly and, in turn, provides an opportunity for adjustment, if addressed. Many Survivors are still in this phase and have not progressed to recovery. The family, the community, and the public at large also often express denial.

Numbness: the trauma temporarily overloads the emotional circuitry allowing the Survivor to appear capable of carrying on with a semblance of normalcy, stoicism, and even humour.

Forgiveness is something that has to be experienced within, but reconciliation suggests that conditions have changed, that the connection to oppression in the past has been cut. Canada refused to sign the United Nations Declaration on the Rights of Indigenous Peoples. The government will have to change the way it deals with us for reconciliation to be possible. We have to change the way we interact with each other.

Marlyn Cook
AHF Board member
Akwesasne Department
of Health
Williamstown, Ontario

Rage and Lateral Violence: rage is the opposite of numbness. It burns and churns inside a person, and it may strike unexpectedly and unreasonably at oneself or at others. But it always comes, and it may continue for years with devastating effects. Many Survivors are unknowingly stuck in this phase. Rage comes and continues to gnaw until it is released through therapy or a self-destructive act or behaviour. Thus, the incidence of rage and lateral violence within the family and the community, and indeed among the leadership, ought not be so surprising. This is not an excuse. It's a symptom that must be dealt with.

Anguish and Despair: during this phase, an individual is hit with the full force of the trauma, sometimes giving up any hope and withdrawing into despair—a feeling of total helplessness that is more than the Survivor can handle without help. The vicious cycles of addictive behaviour, violent behaviour, and suicidal behaviour are launched unless an effective intervention strategy is implemented.

Bargaining: at this phase, a person begins to wrestle with acceptance. *Why did it have to happen? Why us? Why him? Why her? Why me?* While this sounds like self-pity, it really is a cry for therapy, healing, and reconciliation.

Reconciliation: blame for forced attendance in a residential school and the terrible experiences must be directed somewhere. Certainly there is blame, but rather than vengeance, the Survivor seeks an understanding of what transpired. The person makes peace with himself or herself. Elders are always willing to help. More than anything else, one must forgive oneself. The old adage “to forgive is to forget” is not helpful. The whole being has been traumatized. The flashbacks, pain, and scars remain.

Acceptance: comes once the Survivor takes ownership of the trauma. This decision leads to treatment of the trauma—therapy—and reconciliation, bringing a determination to pursue a new future.

Maturation: the Survivor begins a personal journey of healing with supportive therapies and personal networks. Relationships are renewed. The Survivor begins and continues to help other Survivors.

Throughout these phases, our therapies include the use of traditional practices and medicines, teachings and instructions, counselling and ceremonies, and language and history. The shaking tent, sweat lodges, sacred pipes, and traditional drums and songs of the Anishinaabe are a vital part of healing. Obviously, spirituality is central to healing, as it is to reconciliation. All spiritualities offer some means of personal reconciliation. *Father, you have yours and I have mine.*

CULTURAL RECONNECTION AS RECONCILIATION

Culture circumscribes a world view or a cosmology upon which the lifeways of a people are based. Overholt and Callicot quote noted scholar Irving Hallowell on the ways of the Anishinaabe people in the following manner:

All cultures provide a cognitive orientation toward a world in which man is compelled to act. A culturally constituted world view is created, which, by means of beliefs, available knowledge and language, mediates personal adjustment to the world through such psychological processes as perceiving, recognizing, conceiving, judging, and reasoning ... which intimately associated with normative orientation, becomes the basis for reflection, decision, and action ... and a foundation provided for a consensus with respect to goals and values.¹³

Mine is the world view of the Anishinaabe people, and I am contentedly reconciled to it as the foundation of my living philosophy. My lifeways are those of the Anishinaabe culture, and I have the honour of being referred to as a traditional teacher.

I will share the basis of my credo in a form that is unchanged in its essence from the narrative that I use in other forums.

ANISHINAABE WORLD VIEW AND COSMOLOGY

In the beginning, the Creator placed the four colours of mankind in the four directions: the yellows to the east, the blacks to the south, the reds to the west, and the whites to the north. To each was given special gifts and instructions by which to live in harmony with all creation. The people of the four colours would come together and, abiding by their respective instructions, would thrive in the collective prosperity of the human family. While distinct from each other, they were nevertheless equal in life, in will, and in freedom before the one and only Supreme Being; however, each one would understand the Creator.

For the Anishinaabe, life is *Pimaatiziwin*, and its meaning is more than mere existence in a chronological progression of time. It is perfect, and it is intrinsically connected to *Kizhemanito*, the Great Spirit—the maker of all things. Therefore, like the Creator, life has no beginning and no end—everything that ever was continues to be, and everything that will ever be already exists in spirit. *Pimaatiziwin*, then, is the completeness and totality of creation itself imbued with the spirit of the Creator.

In every direction of the sky is the eternal expanse of our cosmos in which, far beyond the human mind and eye, the physicality of life began. The Creator summoned four spiritual beings who, in their sacred essence, were in colours we would come to see as red, green, blue, and yellow. With them, the Creator shared his wishes for creation. Blowing a sacred wind toward one another with such force and speed, they created the breath of life that would permeate the cosmos. Sky Order Woman (*Nenaikiishigok*), who had been given the duty to maintain perfect harmony in the heavens, thus assigned all starbeings to their places. We see them even to this day and night. Then she asked others to encircle the clearing that had been created by the swirling winds. This opening came to be known by the Anishinaabe as *Pagonekiishig*, meaning “Hole-in-the-sky.” The constellation *Pagonekiishig* is seen clearly as four concentric circles consisting of eight stars in each circle. These circles would become the life channel for life in our world, and it reveals the genesis of the Anishinaabe.

Amidst all the starbeings was the special one that we call Grandmother Earth. At first, only the grandfathers—the mountains, the rocks, the boulders, the stones, the gravel, and the finest of sand were on Grandmother. Then soon they wanted to share their place with other beings and asked the Creator to bring down other life. In time, one by one, four star spirit ladies appeared.

The first one announced as she came down: “The Great Spirit has heard your pleas. And has sent me down to you.” As she spoke, something the grandfathers had never seen before began to trickle amongst them. She spoke again: “That which you see among you is saltwater. The Grand Father will place all waterbeings there, and I will look after all that. I will be with you forever.”

The second star spirit lady now made her appearance and spoke: “The Maker of Life has heard your invocations, and I have also been sent down to you.” As she spoke, mists of water began to rise, forming clouds that fell back upon the rocks. “That which rises and falls upon you will cleanse and purify you and all the life that will grow among you. I will look after the rainwater. And I shall be with you forever.”

The third star spirit lady came down and said: “Now among you have been placed your brothers and sisters: the trees, the plants, the winged-ones, the four-leggeds, the waterbeings, and the crawlers. They will need to drink and be nurtured. I will look after the freshwater of the lakes, rivers, streams, and springs. And I shall be with you forever.”

Finally, the fourth star spirit lady came down and spoke kindly and softly: “The Grand Father has also sent me in answer to your invocations. He has heard you

and is now preparing to send the two-legged brother down for you to love. He will be absolutely dependent on everyone and everything else in creation—all of us. He will carry sacred gifts of our Grand Father Creator, but he will not know how to use them unless we show him. We will all look after him and we will give him everything he needs. So helpless will he be that he will need to be cradled in sacred water inside the woman before he is born. It will be thirteen times for the Grandmother-That-Lights-The-Night-Sky to shine in her full glory before this one is born—four times as we prepare the woman who will carry him and nine more while he is inside the woman. I will look after the birth water and I shall be with you forever.”

THE ORIGIN OF TURTLE ISLAND

So it was that the Anishinaabe came down through *Paagonekiizhig* and was placed on Turtle Island, the western hemisphere. Why do they call it Turtle Island? The Turtle is one of the most exalted spiritual healers and benefactors of the Anishinaabe. Among his many other functions, he is the principal messenger in the shaking tent ceremony that is used in healing. He has sacred roles both on land and in water. The Grandmother-That-Lights-The-Night-Sky so loves him that on each occasion of the full moon, she comes to kiss him. Now, look on the back of the Turtle’s shell (carapace) and one can count thirteen platelets that form the shell—five down the middle and four on each side—one platelet for each time the Grandmother has kissed the Turtle. Thus, for the Anishinaabe, there are thirteen moons in one lunar year. So the Anishinaabe accepts this hemisphere as Turtle Island and knows it as his special place in creation.

NANABOSHOO – THE FIRST ANISHINAABE

The first Anishinaabe was Nanaboshoo. There are many stories of his adventures, especially about his relationships to nature and the spirit world. Western-oriented writers have attempted to usurp his value as the first man by relegating him as a mere trickster in folklore and myth. But read Ronald Wright’s views on myths in his book *Stolen Continents*:

The word *myth* sometimes has a debased meaning nowadays —as a synonym for lies or fairy stories—but this is not the definition I intend. Most history, when it has been digested by a people, becomes myth. Myth is an arrangement of the past, whether real or imagined, in patterns that resonate with a culture’s deepest values and aspirations. Myths create and reinforce archetypes so taken for granted, so seemingly axiomatic, that they go unchallenged. Myths

are so fraught with meaning that we live and die by them. They are the maps by which cultures navigate through time. Those vanquished by our civilization see that its myth of discovery has transformed historical crimes into glittering icons. Yet from the West's vantage point, the discovery myth is true.¹⁴

Nanaboshoo is alive and strong in traditional Anishinaabe life. He is responsible for the second creation after the great flood that destroyed the earth. He is capable of transformation. He is the Creator's baby, factually and figuratively. He has all the gifts of the Creator, yet he is totally reliant on nature to survive. He learned his survival skills by emulating the birds, waterbeings, crawlers, and the animals. He named them all and gave them their distinctive markings and personalities. His adventures are replete with his creations and inventions. His misadventures are the source for the Anishinaabe's sense of humour and his ability to laugh at himself. He discovers new ways of doing things and assumed new perspectives. He was given all healing and medicinal powers. He named all the trees and knew the healing powers of all flora and fauna. He was at once man and deity with supernatural powers, but did not and still does not know quite how to use them rightly except in sacred ceremony. Who else can this be but the Anishinaabe? Nanaboshoo is a spiritual archetype. Incidentally, when Anishinaabe people meet, they will greet each other saying, "Boshoo!" This has been misinterpreted as a poor emulation of the French salutation, "Bonjour." The conjecture is not true. *Boshoo* is a contraction of Nanaboshoo – an affectionate acknowledgement of the person being greeted as a brother or sister through a common progenitor.

THE MEANING OF "ANISHINAABE"

The Anishinaabe is at once proud and humbled by his origin: proud that he is integral to creation, humbled that he is totally dependent on it, and yet loved by all spirits. The word *Anishinaabe* is a self-designation and has two meanings:

- ♦ The spiritual meaning of Anishinaabe comes from its two components: *niisina* means "descended," and *naabe* means "male." Hence, "the man descended." In the context of spiritual genesis, this morpheme brings all the sacred nuances of man and creation together in the one word.
- ♦ The second meaning is colloquial: *anishaa* means "of no worth or value, nothing." Combined with *naabe*, it means "man of no value." But the Creator does not make anything of no value. It simply means that the Anishinaabe sees himself as neither above nor below any other life form.

There is no mention of the woman. To put this into proper perspective, the star spirit ladies who came in answer to the Grandfather's invocations at the beginning of life on earth are sacred. They fulfilled sacrosanct functions and are still with us, as they said. Women, as we see them, are still endowed with all the spiritual powers of these star spirit ladies and are, therefore, inherently sacred. To refer to them as *anishaa* or being of no value like the man would be to denigrate their sacred nature as the carriers of life.

The Anishinaabe Nation continues to occupy a vast territory on Turtle Island, a tract that runs generally from the Maritimes in Canada and south along the Canadian Shield, west through the prairies, on to the Rocky Mountains, and then southeast to the present-day shores of the Carolinas. To be sure, we share this territory with other Indigenous nations. You know us by various foreign designations. In the Atlantic Coast, we may be referred to as the Mi'kmaq, Maliseet, Abenaki, and other names; in Quebec, we are the Innu and Algonquins; in Ontario, we are the Ojibway, Ojibwa, or Chippewa; in Manitoba we are called Saulteaux; in Saskatchewan, we call ourselves Nakaini; in the Rocky Mountain country, we are the Blackfoot; in Montana, we are the Cheyenne; the state of Illinois is named after us; in Texas, where some of our nation has settled, we are the Kickapoos. Some of us have also settled in northern California. The people of the nation are also known by other names that may reflect a clan or their geography. But we are all part of the larger Anishinaabe nation and recognize each other as such.

THE SEVEN LAWS OF CREATION

The Anishinaabe received the seven fundamental laws of creation to mediate his relationship with all other life: *love, kindness, sharing, respect, truth, courage, and humility*. The Anishinaabe sought to follow the meaning of these laws and came to understand that they could be deciphered through the *sacred four* that had touched him during his descent.

THE PRINCIPLES OF THE SACRED FOUR

Pagonekiishig: the four concentric circles of stars in *Pagonekiishig* reveal the gifts that give form and meaning to the *sacred four* of Anishinaabe spirituality.

There are four layers of the sky: red, green, blue, and yellow; and there are four spiritual lodges: sweat lodge, shake tent, round house, and learning lodge.

There are four drums: little rattle drum, water drum, hand drum, and ceremonial drum; and there are four pipes: red, yellow, black, and white.

There are four seasons: spring, summer, fall, and winter; and there are four stages in temporal life: childhood, adolescence, adulthood, and elderhood.

There are four types of clans: winged ones, four-leggeds, waterbeings, and crawlers.

These are but a few examples that are only intended to indicate why the Anishinaabe's fondness for doing and seeing in fours.

Spiritualities: spirituality is a personal relationship with the Creator, and there are four principal societies through which an individual adherent may live this relationship. The way within each society is as individual as it is personal and is guided by its own ceremonies. But the four ways are complementary, meaning that a person can belong to all four: the spirituality of the east is *Waabanowin*; the spirituality of the south is *Shaawanowin*; the spirituality of the west is *Ogimaawin*; and the spirituality of the north is *Midewewin*, the principal society.

At the appropriate time of each season, especially in the spring, the water drum calls toward the four directions beckoning all Anishinaabe into spiritual council. They meet at principal places in lodges or places specially designated for ceremonial purposes. Here the laws are recited and feasted. Civil ceremonies are performed. Relationships with other nations are feasted and celebrated. The well-being of the nation is scrutinized. The state of the land and resources is analyzed. Medicines and new therapies are dispensed. Healing ceremonies are conducted. External threats and opportunities are considered, and internal strengths and weaknesses are balanced.

Media of Sacred Symbols: the Anishinaabe is considered to be mostly an oral society. As such, some of the modes used to transmit knowledge are by means of language, song, visual symbolism, mental communication, and practice of spirituality that do not separate the sacred and the secular in daily life. In addition to the oral traditions, the Anishinaabe have a rich and powerful tapestry of symbolic media. The meanings of sacred events in their history are stored in birch bark scrolls, rock and earth formations (petroglyphs), and painted visions (pictographs), to name some of the other media. Sacred offerings are placed where these are found.

Language is the principal means by which culture is transmitted from one generation to the next. It is especially vital for oral societies like the Indigenous people of Turtle Island. The very meaning of world views and traditional lifeways are understandable in their original languages. The origin, the history,

the peoples' relationship to the spiritual world, and the land are in the language. The totality of social, cultural, economic, and political systems of Indigenous nations is also in their native languages. The cultural nuances and intricacies of Indigenous constitutions, laws, and governance structures must be explained and understood in the language of origin. A language is one's identity. A language is an inviolable gift to the Indigenous peoples from the Creator and their ancestors.

The Spiritual Name and Identity: the spiritual name is one's actual spiritual identity. According to the Anishinaabe belief system, each person is a spirit becoming manifested in bodily form through birth. A name is not selected as a mere matter of personal or parental preference. An Elder or a respected member of the community is chosen to conduct a ceremony. Really, it is not so much a name-giving ceremony as it is an invocation to confirm the spiritual identity. In effect, it is the passing on of a spiritual identity to an individual. But it must be done lest the individual becomes spiritually lost, disoriented, or even ill for lack of the spiritual identity.

It is not unusual for a person to receive more than one name because spirits constitute one whole spiritual entity. Names may be given before, during, or some time after birth, although parents are urged to have the ceremony done as quickly as possible. Other names may be given out of love or honour, for strength, and also for recovery from an illness. In this way, a name will heal, and a name-giving ceremony is therapeutic to form part of one's personal reconciliation when it is needed.

NDOTEM: THE CLAN SYSTEM

The Anishinaabe also enjoy a spiritual connection referred to as the *ndotem* system of relationship from which the word totem originates.

It is told that at a time when the earth was totally covered with ice, the Anishinaabe found themselves in extremely dire circumstances. They were freezing, homeless, starving, and facing certain death as a people.

The White Bear (*Waabimuhkwah*) came down from the north and saw the sorrowful conditions of the people. He took pity on the poor people and adopted them. He cared for them and protected them as little brothers and sisters, and thus became the first *ndotem* (clan). Then, the White Wolf (*Waabimaingan*) came down from the east and also adopted the Anishinaabe in their miserable situation as brother and sister to become the second clan. In like manner, the White Winged Spirit of the south (*Waabibinesse*) came down

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in kindness and adopted the Anishinaabe. The White Buffalo (*Paashkote Pishikii*) then came down from the west and adopted the Anishinaabe and became the fourth original ndotem. In time, all other spiritual beings followed until all Anishinaabe families were adopted forming the original clan system.

These events established the sacred lifeline to the four-leggeds, the winged ones, the waterbeings, and the crawlers who continue to look after the Anishinaabe. It also explains the spiritual dependence of the Anishinaabe on other life that enabled them to survive and maintain continuity. The Anishinaabe who seek personal healing and reconciliation must therefore know his or her clan. It is absolutely vital to the spiritual identity.

MY PERSONAL RECONCILIATION

Father, I have shared much with you that needed to be said. Respectfully, I am not seeking penance and far be it for me to deny hell. I have seen it. It is here and it is man-made. Forgive me if you must and pray for me. But it is reconciliation that I seek—between you and me and our respective peoples. We need to build a new future. You have also glimpsed into my own reconciliation, the note upon which we should leave for now.

Personal reconciliation is making peace with one's own self and reclaiming one's identity. Through the kindness of the Creator, I am at peace with myself. I have returned to Midewewin, the principal spirituality of the Anishinaabe. I have come to understand and respect the interconnectedness of all life, and I am very happy with my place in creation, humble as it is. Mine are the gifts of life so sacredly conferred upon my ancestors by the Creator. Through this spirituality, mine also are the experiences that have rendered insights into life's eternal questions: whence, what, whither, and why.

I am contentedly reconciled to traditional spirituality as my living philosophy. Now, mine is an unconditional wish to reach out and help people on the basis of my culture and traditional ways. I have received the honour of being referred to as an Elder, a custodian of traditions, customs, laws, and spirituality. May I be forever worthy of those who wish to claim the traditional teachings that are theirs through me and other elders. May I continue to be deserving of the privilege of receiving youth who seek strength, courage, and enlightenment through my ceremonies. Having nothing to teach you but much to share, I reach out to you also and the other players in the legacy of the residential schools.

A government founded on peace, order, and good government and yet responsible for inflicting the horror of the residential school system is one that I am prepared to

meet with to discuss the rule of law that includes enforcement of Aboriginal rights and treaties as the basis for a reconciled future. A church that validated the ruthless superiority complex of European monarchs to persecute Indigenous people, steal their land, and overrun their cultures by condemning them as ways of the devil is one I am also prepared to discuss reconciliation with. My willingness to do this is based on having sincere regard for the seven traditional laws of Creation. A clergy abiding a faith founded on the teachings of Christ, who so loved the purity and innocence of children, yet whose own agents inflicted sexual and physical abuse on Aboriginal children are men and women I am prepared to meet in my community to discuss reconciliation. And should they still believe in hell, may they be spared. Yes, Father, I am prepared.

In ultimate personal reaffirmation, it was not God that hurt generations of innocent children, but the human beings in the churches who undertook to deliver Christianity and inflicted the sorrow in His name. It is not my right or prerogative to forgive what was done to my brothers, my sisters, and my dearest friends as they must speak for themselves and, unfortunately, many of them are now dead. Nevertheless, I dedicate this statement of reconciliation to their memory. I can speak for myself, Father. I am happy that my ancestors saw fit to bring their sacred beliefs underground when they were banned and persecuted. Because of them and the Creator, the ways of my people are alive and in them I have found my answers.

I gratefully proclaim that I am a dedicated adherent of traditional spirituality of the Anishinaabe.

I am a born again pagan.

NOTES

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- ⁸ Assefa, Hizkias (no date:para. 17). *The Meaning of Reconciliation*. Retrieved 20 July 2007 from: http://gppac.net/documents/pbp/part1/2_reconc.htm
- ⁹ Forced attendance was legislated in 1920 for children aged 7–15, although there are stories of children as young as age five being taken as well as accounts of forced removal before 1920.
- ¹⁰ In 1884, potlatches and all other cultural activities were banned, and in 1927, a prohibition was placed on creating and funding Indian political organizations.
- ¹¹ Indian Residential Schools Resolution Canada (2006). *Indian Residential Schools Settlement Agreement*. Retrieved 18 September 2007 from: http://www.irst-rqpi.gc.ca/english/pdf/Indian_Residential_Schools_Settlement_Agreement.PDF
- ¹² Indian and Northern Affairs Canada (1997:para. 6).
- ¹³ Overholt, Thomas W. and J. Baird Callicot (1982:6). *Clothed-In-Fur and Other Tales: An Introduction to an Ojibwa World View*. Blue Ridge Summit, PA: University Press of America. Boston.
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Aboriginal students in front of a shrine, ca. 1960.

Photographer: Sister Liliane

Library and Archives Canada, PA-213333

(This photo can also be found, along with many other resources, at www.wherearethekids.ca.)

BRIAN RICE AND ANNA SNYDER

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Brian and Anna have been involved in local healing and reconciliation initiatives involving Aboriginal and non-Aboriginal people on the issue of residential schools. Their contribution to this collection, *Reconciliation in the Context of a Settler Society: Healing the Legacy of Colonialism in Canada*, examines factors that must be taken into account in healing the broken relationship between Aboriginal and non-Aboriginal people. The first factor is an understanding of the legacy of colonialism and its impacts on the political, social, and economic life of Aboriginal people. The second is an understanding of the historical and contemporary myths that have been used to rationalize Canada's policies and practices toward Aboriginal people. The third is the tremendous impact of colonization, including the residential school system, on Aboriginal identities and mental health. The authors argue that addressing each of these issues builds an additional layer of healing into the reconciliation process. They conclude with a list of issues to be addressed from structural inequalities to the revitalization of Aboriginal languages and cultures.

RECONCILIATION IN THE CONTEXT OF A SETTLER SOCIETY: HEALING THE LEGACY OF COLONIALISM IN CANADA

DEFINING RECONCILIATION

When violence is perpetrated on a mass scale, national courts are often unable to process the huge numbers of claims. Furthermore, the courts are not designed to heal broken relationships within society. As such, governments are increasingly turning to alternative processes like truth and reconciliation commissions, some of which are based on principles of restorative justice with broad political goals of reconciliation or right relations. Studies of these non-litigious processes highlight the importance of healing individuals and society after the trauma of mass violence, such as the violence perpetrated in Indian residential schools. Scholars maintain that if psychosocial factors that lie at the heart of the conflict are not addressed then the conflict will continue to escalate and erupt.¹

Typically, truth and reconciliation commissions (TRCs) assist people who were former adversaries by reducing conflict over the past, giving victims voice, and identifying key institutional problems. TRCs tend to address psychosocial factors primarily. However, according to Priscilla Hayner, author of *Unspeakable Truths*, “Where gross inequalities are a product of past oppression, reconciliation cannot be considered simply a psychological or emotional process.”² Reconciliation takes place in varied political settings; as such, consideration of context and location is critical for developing reconciliation processes.

In the Canadian context, three major factors unique to a settler society require attention in choosing methods of reconciliation: 1) the legacy of colonialism that impacts the political, social, and economic life of Aboriginal people; 2) historical and contemporary myths prevalent in Canadian society that rationalize Canada’s policies and practices toward Aboriginal people; and 3) the impact of colonization/residential schools on Aboriginal identities and mental health that adds an additional layer of healing to the reconciliation process. In Canada, societal reconciliation must address not only psychosocial barriers but also structural issues of concern to Aboriginal people.

Reconciliation is about healing relationships, building trust, and working out differences. The phrase “forgive and forget” is a popular phrase used in reference to reconciliation. However, John Paul Lederach maintains that true reconciliation is “not forgive and forget.” Nor does reconciliation involve

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remembering, justifying, and repeating. “True reconciliation,” Lederach states, “is to remember and change.”³ Reconciliation must meet concerns about both the past and the future. Acknowledgement of the past through truth-telling, recognition of interdependence, and desire or necessity for peaceful co-existence in the future are key elements of reconciliation.⁴

When reconciled, people who were former adversaries come to see each other in a different light, in accommodative ways.⁵ A fable called *The Magic Eyes* illustrates how the offended person must find a new way of looking at the offender—a deeper truth, new insight leading to new feeling, including a sense of release and renewed empathy and goodwill toward the offender.⁶ This rehumanizing of the enemy plays a critical role in re-establishing trust. Trust comes, in part, from a general belief in the good intentions of the other and from indications that past behaviour and/or patterns of violence will not be repeated.

In order for reconciliation to occur, the process must reflect the mutual interests of the parties involved. Without power-sharing in decision-making, a constructive outcome from the reconciliation process is unlikely. A destructive outcome results from one party imposing decisions made unilaterally with little or no consideration for the interests and needs of the other party. If the outcome is perceived as oppressive or humiliating, the parties may feel a need for further action or revenge. As such, destructive outcomes often become the basis for a renewed and destructive struggle.⁷ The struggle also continues after an imposed “peace” because key problems or issues in the relationship that were the source of the conflict have not been addressed. Keene warns that “potential consequences for the actions of those in power can be evaded if the less powerful forgive.”⁸ The outcome of a conflict is considered constructive if the parties find it mutually acceptable. In addition, the extent to which an outcome is constructive is reflected in the degree to which it facilitates an ongoing relationship in which future conflicts can be addressed.

FUNCTION OF A TRUTH AND RECONCILIATION COMMISSION

The role of a truth and reconciliation commission is to promote reconciliation within a society as a whole. There are five general aims of a TRC: 1) to discover, clarify, and formally acknowledge past abuses; 2) to respond to specific needs of victims; 3) to contribute to justice and accountability; 4) to outline institutional responsibility and recommend reforms; and 5) to promote reconciliation and reduce conflict over the past.

Societal reconciliation is accomplished first of all by challenging the denial of atrocity. According to a Human Rights Watch report, “if a country is to come to terms with its past and successfully turn its attention to the future, it is essential that the truth of the past be officially established. It is impossible to expect ‘reconciliation’ if part of the population refuses to accept that anything was ever wrong, and the other part has never received any acknowledgment of the suffering it has undergone or of the ultimate responsibility for that suffering.”⁹ The main goal of a TRC is to uncover the truth in a joint process in order to reveal what happened, why it happened, and to prevent it from happening again. Truth about the past is critical for societal reconciliation.

Secondly, TRCs attempt to address the needs of victims of mass violence. Victims or victimized groups, collectively, must feel that their suffering has been recognized and acknowledged. Joseph Montville maintains “there is a strong case to be made that the sense of victimhood can only be relieved through the experiences of profound psychological processes by the victim group as a whole.”¹⁰ For many victims, justice means revalidating oneself and affirming the sense that “you are right, you were damaged, and it was wrong.”¹¹ Moreover, a public TRC gives victims voice. A distinctive element of the South African TRC was its focus on forgotten victims in forgotten places. In South Africa, the TRC broadcast victims’ stories and pain to the public. According to Minow, “the chance to tell one’s story and be heard without interruption or skepticism is crucial to so many people, and nowhere more vital than for survivors of trauma.”¹²

The third aim of a TRC involves an acknowledgement and acceptance of responsibility from those who perpetrated and/or benefited from the violence. In the context of reconciliation, there are two essential types of acknowledgement: acknowledgement of wrongdoing and acknowledgement of the human beings who have been harmed.¹³ Acknowledging and accepting responsibility for doing harm and benefiting from harmful actions serve as a moral compass for the whole society to indicate that what happened was wrong, former practices are abhorrent, and this will not happen again in the future. Refusal to acknowledge wrongs is a display of political power and of impunity.¹⁴ Acknowledgement also serves to affirm the human worth and dignity of the persons who were harmed. It is a declaration that the persons who were demeaned merit full and equal rights from their state and society, thereby contradicting the racist, colonial, ethnic, or religious prejudice that may have become an underlying justification or excuse for harmful treatment. The link between oppressors acknowledging wrongs and asking for forgiveness and victims forgiving aggressors is powerful. Both sides can then mourn their losses

so that “a new equilibrium and a true sense of mutual respect and security can describe the relationship.”¹⁵

A fourth aim of a TRC, in addition to uncovering the truth about the past, is to influence military, police, judiciary, and political structures in order to prevent further abuse and/or strengthen mechanisms to respond to injustice when it does occur. The South African TRC report concluded that “reconciliation requires a commitment, especially by those who have benefited and continue to benefit from past discrimination, to the transformation of unjust inequalities and dehumanising poverty.”¹⁶ Despite the difficulty of promoting serious policy or institutional reforms, many truth commissions make recommendations, and some have made important contributions in advancing systemic change. Institutional change is often dependent on the will of the political and military leadership and society as a whole. Recommendations made by the Commission on the Truth for El Salvador on judicial reform focused attention and pressure on problems in the system and became the driving force behind institutional change.¹⁷ El Salvador’s truth commission is one of the few commissions whose recommendations have been made mandatory in the terms of reference; nevertheless, whether or not they are mandated, the recommendations of a state-sanctioned commission tend to be more influential than reports from non-governmental advocacy groups.

The fifth aim of a TRC is to bring former adversaries to a common understanding of their history and reduce the potential for future conflict. Reconciliation of their stories requires a commitment to produce a coherent, albeit complex, narrative about the entire nation’s trauma and the multiple sources and expressions of its violence. Competing narratives may become the source of ongoing justification for conflict and violence. Inadequate identification of the problems and causes of the violence or injustice perpetuate ongoing oppression. Moreover, common understandings must be made public. Although a population may have knowledge of atrocity, general knowledge differs from publicly sanctioned acknowledgement. When general knowledge is publicly acknowledged, it is the first step in a country recognizing the horror of what has occurred and integrating the truth into the country’s history. Public acknowledgement of the harms done and full accounts of what happened become the basis on which to build a future.

Although TRCs have a similar goal, that is, to promote national reconciliation in the wake of serious wrongs, they differ depending on the context. Trudy Govier in *Taking Wrongs Seriously*¹⁸ identifies three contexts in which TRCs have been needed and/or applied: 1) post-totalitarian societies, such as the Central American countries Argentina and Chile, where there were large-scale

human rights abuses, such as imprisonment, torture, and forced disappearances of the political opposition; 2) cases of recent gross physical violence; for example, in Bosnia seven thousand Bosnian Muslims were massacred in the town of Srebrenica in 1995; and 3) settler societies such as Canada where peoples were displaced from their land. The mandate, composition, length, and form of the national reconciliation process varies in each context. For example, the El Salvadorian truth commission was mandated in the UN-brokered peace accord and run by commissioners appointed by the UN Secretary-General. In South Africa, Parliament instituted the TRC, led by Archbishop Desmond Tutu, after the new constitution granting amnesty to political wrongdoers had been approved.

THE LEGACY OF COLONIALISM

Three unique aspects of the settler society in Canada impact reconciliation methods. First, the First Peoples of Canada continue to experience ongoing oppression as the result of hundreds of years under colonization. The Indian residential schools were one aspect of a larger project to absorb or assimilate Aboriginal people. The legacies of colonialism and of the residential schools system continue to this day. As a result, a government apology and compensation for residential school abuse, although a critical start, are not enough to transform relations. Second, denial of the truth about Canada's relationship with Aboriginal people includes myths that rationalize Canada's continuing exploitation of Aboriginal people. Although beliefs about Indian racial inferiority have changed since the seventeenth century, racist myths continue to justify the child-like status of Aboriginal people in Canada. Third, because of the destruction of culture, language, and identity and the legacy of abuse from the residential schools, Aboriginal people must deal not only with anger towards their colonizers/adversaries, but also with internalized colonization/self-hatred and ongoing abuse in their communities perpetuated by their own community members.

The roots of the broken relationship between Aboriginal people and Canada can be traced to the history of the colonization of North America by Europeans. Initially, European explorers/colonists were dependent on Indigenous hosts and guides, but then gradually, over the course of centuries, they developed a more egalitarian relationship through the North American fur trade. By the 1860s and 1870s, Aboriginal people came to be viewed as an obstacle in the creation of a Euro-Canadian civilization and as dying cultures to be forcibly assimilated into Canadian society.¹⁹ During this period of official nation-state formation, major treaty-making processes were initiated to "open up" the country to European colonization. The federal government set in place policies

The residential school legacy comes from a deeper history that goes back to the taking of our land. Therefore, truth has to go deeper than residential schools or it will be superficial.

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Mi'kmaq
Truro, Nova Scotia

to ensure and enforce Euro-Canadian dominance and Aboriginal assimilation. Although many of the policies of the late 1800s are no longer in place, their legacy continues to influence Canada's relationship with Aboriginal people, which is characterized as controlling, disempowering, and exploitative.

First Nations are the only groups in Canada that have special legislation governing their affairs; laws that apply to Aboriginal people do not apply to any other people in Canada. This special legislation dates back to before the foundations of the country when it was referred to as British North America. At one time, Aboriginal people were considered to be militarily powerful and needed as allies to fight in the wars between the colonial powers—the French/British and the British/American conflicts. After the British defeated the French, they began to negotiate agreements with the different First Nations close to them in order to maintain good relations. When the thirteen American colonies broke away from the British, they needed Aboriginal allies to fight in their war. Many Aboriginal people sided with the British and maintained their allegiance when the Americans attacked British North America in 1812 because they were promised a homeland of their own.

After 1812, the importance of Indians as military allies declined. The *Royal Proclamation of 1763* had established the practice of making treaties with the Crown that preserved harvesting rights and created reserve lands protected from encroachment by settlers and entrepreneurs. The influx of settlers in Upper Canada, which would later become Ontario, created pressures to free up additional lands for settlement leading policy makers to undertake more aggressive civilization measures. The Bagot Commission, which reported in 1844, was set up to bring coherence to imperial policy. The commission's recommendations foreshadowed legislative developments in subsequent years, including the *Indian Lands Act* of 1860 that transferred authority for Indians and Indian lands in the colonies to a single official, as chief superintendent of Indian affairs. The Bagot Commission proposed to grant individual title deeds on reserve lands to encourage adoption of the non-Indian land tenure system. Restrictions on recognizing membership in bands and establishment of boarding schools to counter the influence of Indian parents also formed part of the recommendations that were later adopted. The commission anticipated that Aboriginal people who became Christian would become examples for those who still clung to their traditional beliefs and way of life. Once they left their traditional way of life, the people of the First Nations would then be phased into the dominant society and eventually disappear along with their reserve land.²⁰

Canada's recognition of our shared history would be a validation of what happened. The memory of convenience that permeates Canadian society is an impediment to reconciliation.

*Dan George
AHF Board member
Wet'suwet'en
Prince George, British Columbia*

The *Gradual Civilization Act* of 1857 further tightened government control of Indians by introducing regulation of band membership. The legislation eliminated the status of Indian women who married non-Indian men. It also abolished the recognition of Indian adoptions of white settlers into their societies. Rules for enfranchisement by which Indian men could voluntarily acquire the rights of citizenship were intended to promote the absorption of the Indian population into colonial society, a transition that proved to be very unattractive to the vast majority of Indians.

In 1867, under section 91, sub-section 24 of the *British North America Act* (now called the *Constitution Act, 1867*), authority to legislate with regard to Indians and lands reserved to Indians was allocated to the federal government under the federal-provincial separation of powers. The new Dominion of Canada began eradicating Aboriginal forms of leadership through the institution of an electoral system over which the federal government would have ultimate control. In 1869, *An Act for the gradual enfranchisement of Indians* gave the Superintendent-General of Indian Affairs the final say as to who could be elected by the communities as the superintendent-general could depose any elected chief based on dishonesty, intemperance, or immorality—terms which were subject to definition by government officials in the context of Christian norms.

At Confederation, authority to legislate with regard to Crown lands was allocated to the provinces. The conflict between Indian harvesting rights guaranteed by treaties and the legislative authority of provinces that recognized no responsibility for Indians would prove problematic. The conflict would become entrenched with the *Natural Resources Transfer Act* of 1930, which allowed the Prairie Provinces to enact legislation that criminalized the exercise of treaty rights. Provincial authority over Crown lands is at the base of disputes about Aboriginal title in jurisdictions where no treaties were signed, including most of British Columbia. Isolation from the resources on their traditional territories has undermined any chance for Aboriginal people to sustain their own economies.²¹

By 1884, the policies became more draconian, placing further limitations on First Nations people and their cultures, such as the prohibition against Aboriginal dancing and costumes. Pass laws were invoked preventing Aboriginal people from leaving the reserve without permission of the Indian agent, although later the pass laws were deemed illegal as they were never sanctioned through government legislation. In addition, the *Indian Act* of 1876 (amended in 1881) prohibited Aboriginal persons in the Prairie Provinces from selling their wheat

The Indian residential schools represent one aspect of Aboriginal grievances in the context of ongoing social conflict.

crops in economic competition with non-Aboriginal farmers; it would seem that Aboriginal farmers had become too successful.

Canada's residential school system was introduced following the presentation of the Davin Report in 1879, although the civilizing policy that it represented had its roots earlier in the century. Prime Minister John A. MacDonal appointed Nicholas Flood Davin to research the industrial school system set up by President Ulysses S. Grant in the United States. Davin was impressed with the industrial boarding schools, which separated Indian children from their parents for extended periods and were regarded as a superior instrument of aggressive civilization. In contrast, day schools were considered a failure "because the influence of the wigwam was stronger than the influence of the school."²² Following consultation with lay and church leaders in the west, Davin drew up a plan that would involve the churches as partners in what became the Indian residential school system. Throughout subsequent years, more and more policies were put in place in order to eliminate any sense of a national Aboriginal identity that would conflict with a Canadian national identity. The residential school system would have the greatest effect.

The Indian residential schools represent one aspect of Aboriginal grievances in the context of ongoing social conflict. Today, Aboriginal communities face extensive systemic barriers. Despite gains made in self-administration and resource sharing, many government policies continue to limit the economic, social, and political development and empowerment of Aboriginal communities. First Nations continue to be governed by the *Indian Act*, giving the federal government final legislative authority over reserve communities and lands. Social opportunities for Aboriginal people are constrained by substandard education, health care, and housing. In 2000, a research report revealed that chronic underfunding of Aboriginal child and family services, twenty-two per cent lower than provincial funding for non-Aboriginal children, resulted in lack of access to services that could help keep Aboriginal children within their families and communities.²³ The Royal Commission on Aboriginal Peoples reported that while First Nations child and family services had stemmed the flow of children out of their communities, in 1992–93, about four per cent of First Nations children on-reserve were in care outside of their own homes, compared to a child-in-care rate of less than one per cent (0.63%) for the general population.²⁴

The federal government has dragged out the resolution of over eight hundred land and treaty disputes while provincial governments have held on to control of natural resources, limiting the economic capacities of Aboriginal people. According to the United Nations Special Rapporteur on the situation of

the human rights and fundamental freedoms of Indigenous people, Rodolfo Stavenhagen, Aboriginal communities lack the land and resource base to meet the needs of their growing populations and “the lands concerned are being denuded of natural resources before Aboriginal claims are recognized and can be addressed.”²⁵ For example, in 2006, sixteen years after the 1990 United Nations Human Rights Committee report documenting violations of the rights of the Lubicon Cree, the committee found that the dispute over land remained unresolved, resource extraction had greatly expanded, and there had been no negotiations since 2003. Dispossession of land has been a key factor underlying the pervasive impoverishment, ill-health, and social stress that Aboriginal communities experience across Canada.²⁶ The Canadian government must make systemic changes in order to heal its relationship with Aboriginal peoples.

MYTHS SUPPORTING SYSTEMATIC DISCRIMINATION

Myths concerning Canada, Canadian society, and relations with Aboriginal people impact widespread beliefs and, as such, the development of government policy. For example, the phrase “two founding nations,” referring to the French and the English, is often used to describe Canada’s history and ignores the undisputed fact that the interaction between Aboriginal peoples and Europeans has been central to Canada’s history. It supports the myth that the “new world” was an empty, untamed land in need of civilization. Belief in the superiority of European culture and Christianity, dominant for centuries in Europe and North America, is not as prevalent today as in the past. Nevertheless, Canadian society perpetuates stereotypes of Aboriginal people that justify Canadian domination and help to alleviate any sense of guilt or responsibility for Aboriginal oppression. These stereotypes strengthen the tendency to deny the truth about Canada’s historical relationship to Aboriginal people.

During the first forty-five years of encounters between Europeans and the Aboriginal people of the Americas (1492–1537) debates took place in Europe as to whether the new people of the Americas were human beings that had souls. When Pope Paul III issued the 1537 papal bull, *Sublimus Dei*, stating that the Indians were human beings with souls, the debates subsided. However, lack of clarity on the humanity of the Indians became the justification for the slaughter of thousands or, as some scholars maintain, millions of people.

The emergence of the anti-slavery movement in the early 1800s and the humanitarian sentiment in Britain that supported missions and associations, such as the Aborigines Protection Society, formed the original underpinnings of efforts to uplift native populations in the colonies by educating them to

conform to British social norms. The darker economic motive of separating peoples from their territories was not acknowledged in the rhetoric of serving the best interests of children targeted for re-socialization. Later, assimilation efforts were rationalized by the theory of Social Darwinism, derived from the new science of evolution and the emerging discipline of ethnology.

Charles Darwin believed that all species, including the human being, were continually evolving from the primitive to the more advanced. Lewis Henry Morgan, the father of modern ethnology, put his own spin on the theory of evolution by categorizing groups in a hierarchy. Aboriginal people such as the Cree were in the lowest stage (savagery), while other nations like the Iroquois were more evolved (barbarism). According to Morgan's theory, Europeans were the most evolved and were thus considered civilized. The belief in European racial superiority helped to justify the Canadian government's policies toward Aboriginal people, including the residential school system.

Centuries of myths about Aboriginal racial inferiority have laid the foundation for negative stereotypes of Aboriginal people that are used to justify domination today. The *incompetent Indian* is one of the most harmful stereotypes of Aboriginal people because it is used to justify policies such as the *Indian Act*. It implies that Aboriginal people are incapable of competing in a modern society and therefore need special legislation that allows governments to control and intervene in their affairs. Exposing the role that myths and stereotypes play in conflict, past and present, is critical to the reconciliation process.

IMPACT OF DESTRUCTION OF LANGUAGE, CULTURE, AND IDENTITY

A major impact of the loss of language, culture, and identity resulting from the residential school system has been internalized colonization/self-hatred and sometimes mental illness in Aboriginal communities. Through the residential school system, Aboriginal people began to believe and internalize the myths and stereotypes used to justify their own domination. Many residential school Survivors must deal not only with anger towards their non-Aboriginal caretakers but with self-hatred, complicating the reconciliation process. Because recovery of language, culture, and identity is critical to the process of decolonization, we would argue it is also crucial to reconciliation in the Canadian context.

According to Poka Laenui,²⁷ who has developed a model to describe the processes of colonization and decolonization, denying the validity or merit of Indigenous cultures is the first step in the colonization process. As a result, Indigenous people withdraw gradually from their cultural roots and may

even lead in the criticism of their traditional culture. Devaluation is followed by destruction and eradication of all symbols of Indigenous culture. Next, institutions—churches, legal and educational systems, and health services—that belittle, denigrate, and insult traditional systems and Indigenous cultural foundations are imposed by the colonizers. Tokenism then becomes normalized; aspects of Indigenous culture are tolerated if they are useful to the colonizers or if they serve to illustrate their generosity. Finally, remnants of Indigenous culture are transformed or absorbed into the culture of the dominating society, becoming popular and therefore profitable. Laenui maintains that people who have undergone colonization inevitably suffer from concepts of inferiority.

Mi'kmaq educator and scholar Marie Battiste comments on the effect of the Western education system on the mental health of Aboriginal people and, in particular, Aboriginal youth. She states, “this educational process is called cognitive imperialism, the last stage of imperialism wherein the imperialist seeks to whitewash the tribal mind and soul and to create doubt.”²⁸ Cognitive imperialism occurs when people from traditional societies begin to believe the versions of their culture and history set down by the colonizers and live out the roles set forth for them by the dominant society. Overwhelming evidence suggests that Aboriginal adults suffered from the social modelling they received as children in residential schools and the colonial education forced upon them. Poor social modelling is often passed on to their children, perpetuating the social ills that result from cognitive imperialism. Often, the price is a fear and an internalized hate for anything that reminds them of their Aboriginal identity.

Added to these unfortunate realities are death due to disease and loss of lands, traditions, language, and children. The result is severe mental trauma among many Aboriginal people in Canada. Psychologists Eduardo and Bonnie Duran²⁹ maintain that Aboriginal people may experience the following five stages of post-traumatic stress disorder. In the first stage, experiencing shock from the imposition of colonial structures that become a continual source of unexpressed aggravation, people may disassociate from themselves; individuals no longer have awareness of who they are and are left feeling as if they are non-existent. During the second stage, individuals withdraw emotionally and literally shut down emotions so as to avoid the pain of being unable to provide for and defend their families in traditional ways. Many of the grandparents who went through the residential school experience suffered from withdrawal and passed this coping method down to their children and grandchildren. The third stage is characterized by denial; the person believes that he or she is able to control their circumstances or that they will be healed through some miraculous, instantaneous cure. In the fourth stage, uncontrollable anger may become focused on family and community members rather than on external

Cognitive imperialism occurs when people from traditional societies begin to believe the versions of their culture and history set down by the colonizers and live out the roles set forth for them by the dominant society.

Although the primary function of the TRC is psychosocial, there is nevertheless a precedent for commissions to mandate institutional reform.

forces. At this point, the internalized hate for their situation can result in hate for others who disagree with their own ideology concerning, for example, traditional practices or other belief systems. The divisive process of colonization is internalized. Finally, the fifth stage, a healing phase, occurs when individuals realize that they and their community have been affected by the processes of colonization. They can then vent their anger towards the appropriate target and begin the process of deconstructing colonization first within themselves and then within the community. In this stage, cultural affirmation is essential for healing.³⁰

Post-traumatic stress disorder associated with cognitive imperialism has resulted in serious mental imbalances for many Aboriginal people, and this is compounded by doubt about the viability of their own traditional healing processes. The underlying effect is a lack of self-worth and endemic suicides among the young who question the place of their traditions in contemporary society, leaving uncertainty about their own identities. Even some elders are unsure that their traditions have a place in a contemporary world.³¹ In this context, validation of Aboriginal culture, language, identity, and healing processes must be central to healing and reconciliation methods.

IMPLICATIONS FOR RECONCILIATION METHODS

As the numbers of TRCs grow, different methodologies and approaches point to the importance of considering the societal context in the development of reconciliation processes. In the Canadian settler context, as mentioned earlier, there are three major factors that, if taken into account, will help to heal the broken relationship between Aboriginal and non-Aboriginal people: 1) the legacy of colonialism that impacts the political, social, and economic life of Aboriginal people; 2) historical and contemporary myths prevalent in Canadian society that rationalize Canada's policies and practices towards Aboriginal people; and 3) the impact of colonization/residential schools on Aboriginal identities and mental health that adds an additional layer of healing to the reconciliation process.

These contextual factors shape reconciliation methods. First, the TRC must be used to publicly identify systemic changes that will address the unequal relationship between Aboriginal and non-Aboriginal people. Although the primary function of the TRC is psychosocial, there is nevertheless a precedent for commissions to mandate institutional reform. In the context of large-scale injustice such as unresolved land claims, poverty, sub-standard social services, and lack of political access/freedom, purely psychosocial attempts to build trust and hope for a change in relations through the TRC may appear hollow

or forced. Listening to Aboriginal concerns and sharing decision-making regarding issues of mutual interest is an essential step towards establishing equity. How can Aboriginal people begin to see Canadians in general in a different, accommodative light when patterns of control and exploitation continue to characterize the relationship? Hope for future peaceful co-existence is a key component of reconciliation.

Second, the TRC process must be made public and visibly led by national political and religious leaders. Without public acknowledgement from national leaders of harms done, the TRC will lack national impact. Public acknowledgement from perpetrators or those who benefited from their actions functions as a moral guide concerning what is right or wrong in society and restores the dignity and worth of those harmed, in their own eyes, and in public perception. As indicated earlier in this chapter, the colonization process had profound and prolonged effects on Aboriginal people. A fundamental sense of unreality may develop if a critical part of one's history goes unrecognized.³² As a result, people cannot represent themselves and be accepted as they see themselves. Understanding the collective circumstances of one's people allows individuals to realize that they, the family, community, and nation are victims of something that occurred years before and that continues to play out negatively in their communities today. For example, public, televised acknowledgement of wrongs committed from state and religious leaders will address some of the self-doubt/hatred internalized by Aboriginal people by affirming their human value and validating their painful experiences.

In addition, public acknowledgement of historical wrongs from state leaders will help to dispel the myths and stereotypes about Aboriginal people common in Canadian society and allow a mutual understanding of history to develop. Although the Canadian public cannot be considered perpetrators of residential school abuse, Canadian individuals, communities, and businesses have benefited from ongoing exploitation of Aboriginal lands and resources. As evidenced by the "two nations" metaphor, Canadians will likely continue to rely on myths and stereotypes about Aboriginal people by ignoring the truth about Canadian history and current affairs. Denial of uncomfortable and undesirable realities reinforces the current social, political, and economic system that benefit the general public. Public acknowledgement by respected national leaders will assist in the creation of a common historical narrative that incorporates harm done to Aboriginal people and will serve as a basis for a democratic society for all peoples in Canada.

Third, in a settler context where colonialism has demeaned and nearly destroyed Indigenous language, culture, and identity, the reconciliation process must

validate cultural practices and processes. According to Laenui,³³ the first step in the decolonization process includes rediscovery and recovery of language, culture, and identity. Rediscovery and recovery is often followed by a process of mourning within which anger may be a component. Laenui emphasizes the importance of public debate and discussion on the full range of possibilities for Indigenous peoples, and he maintains that re-evaluation of social systems is required and not simply inserting Indigenous people into colonial power structures. Duran and Duran³⁴ agree that for healing to take place, there must be a cultural element based on hope and not pessimism.

Incorporating Aboriginal healing practices into the TRC would validate the rich cultural experience and identities of Aboriginal people and facilitate the reconciliation process. Over the years, Aboriginal people have lost some of the skills that their ancestors possessed for bringing the mind into balance and good health. For instance, in the past, within some cultures, elaborate communal ceremonies that dealt with mental anguish and grieving took place. The cohesion of an ancestral-based community is what gives medicine its effectiveness. Nevertheless, Aboriginal communities have adapted and developed restorative healing practices based on Aboriginal culture that are suited to modern-day concerns. An example of this kind of success story would be the healing circles of Hollow Water.³⁵

During exploratory dialogues among residential school Survivors, Aboriginal healers and leaders, legal counsel, and senior government and church officials leading up to the introduction of the Alternative Dispute Resolution process in 2003, consensus was reached on principles such as self-design, full community participation, flexibility, and consensus-based decision-making.³⁶ These principles became the basis for successful alternative dispute resolution pilot projects that provided the opportunity for a creative and appropriate range of remedies. Emphasizing the validity of Aboriginal culture and healing practices through the TRC will not only assist in Aboriginal healing but will help to foster mutual respect and understanding in Canadian society as a whole.

NOTES

- ¹ Fisher, Ronald (2001). Social-Psychological Processes in Interactive Conflict Analysis and Reconciliation. In Mohammed Abu-Nimer, (ed.), *Reconciliation, Justice, and Coexistence: Theory and Practice*. Lanham, MD: Lexington Books: 25–46.
- ² Hayner, Priscilla B. (2002:164). *Unspeakable Truths: Facing the Challenge of Truth Commissions*. New York, NY: Routledge.
- ³ Lederach, John Paul (1998:245). *Beyond Violence: Building Sustainable Peace*. In Eugene Weiner (ed.), *The Handbook of Interethnic Coexistence*. New York: Continuum International Publishing Group: 236–245.
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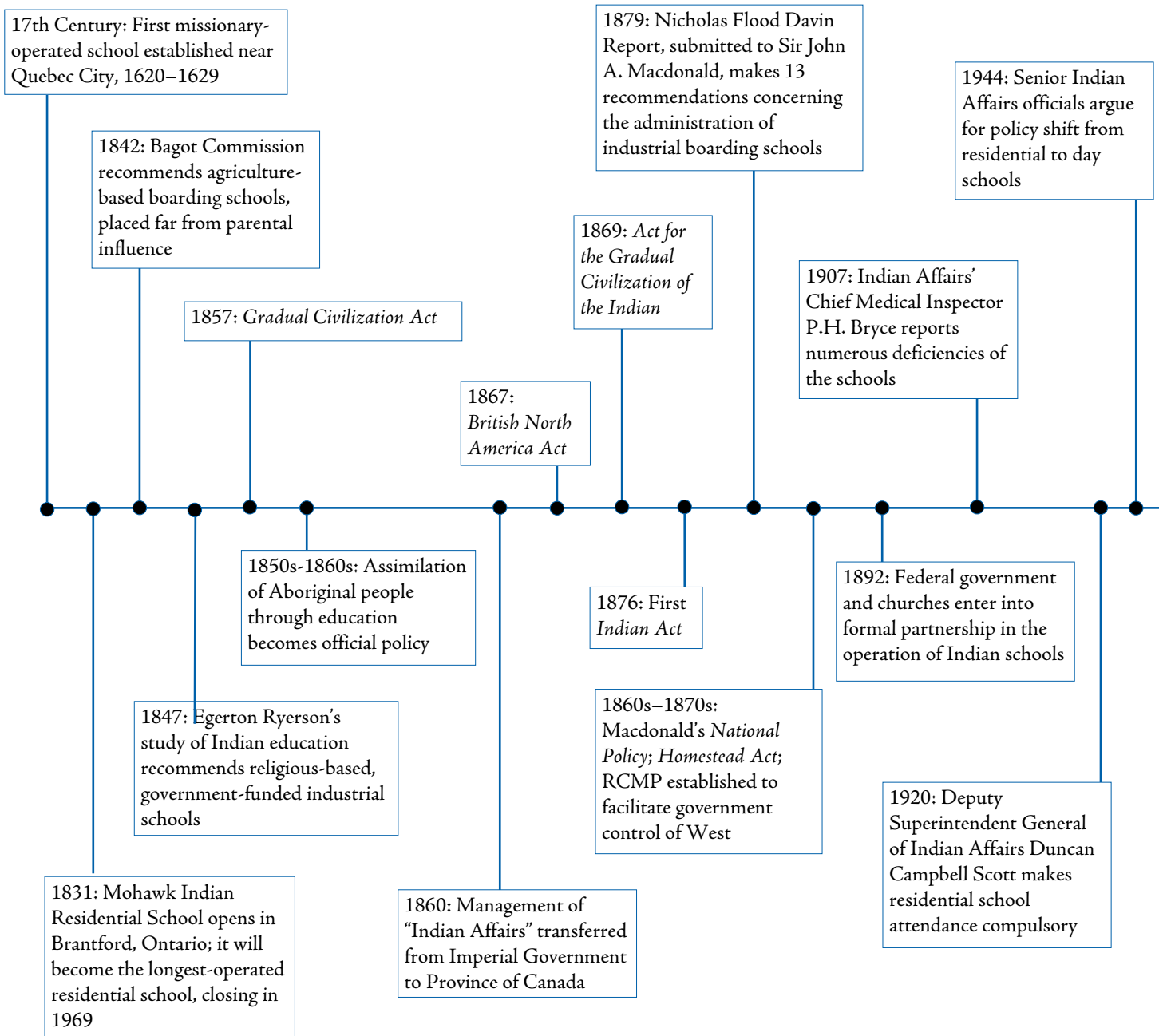
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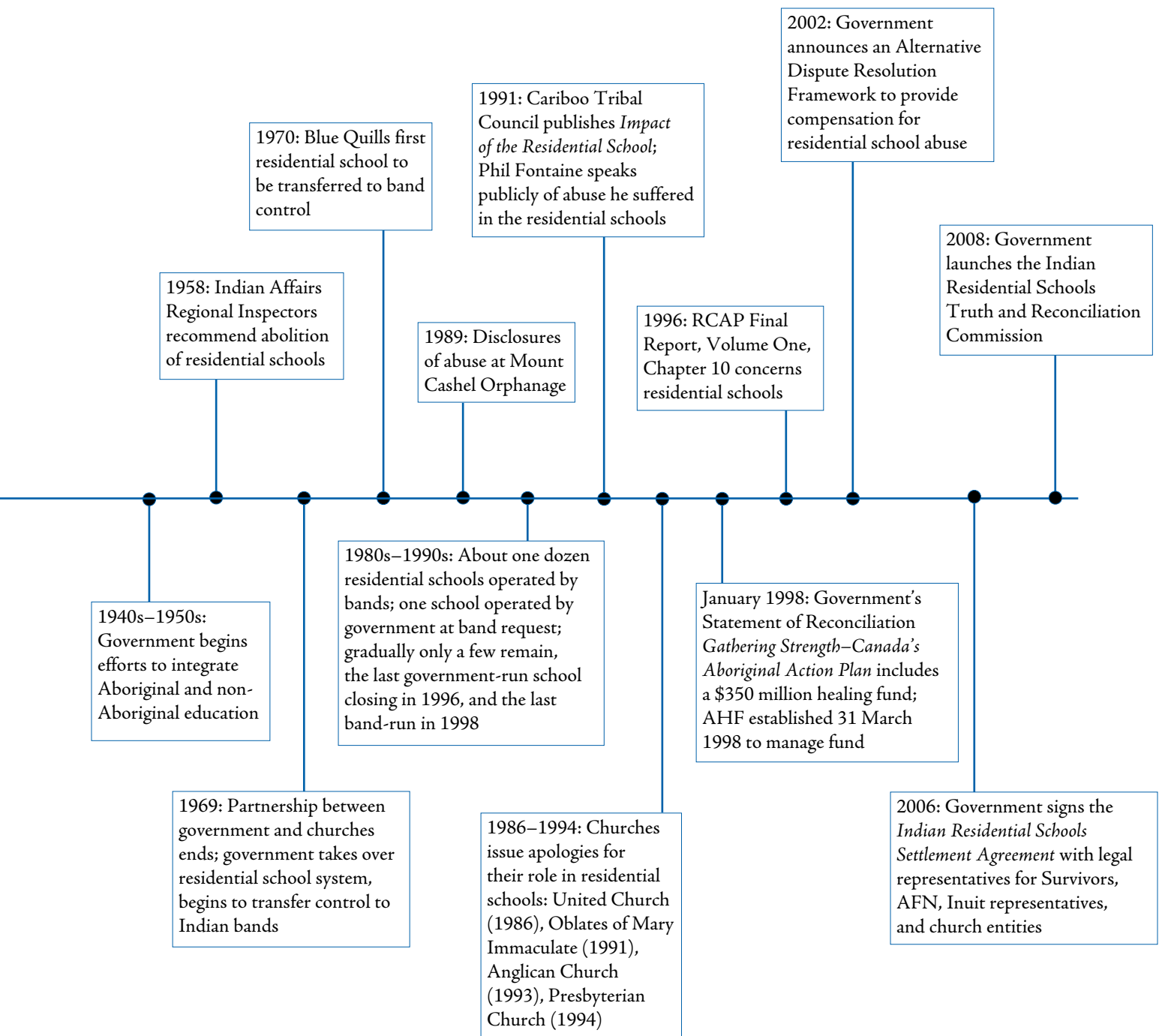
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Photo: Courtesy of Janice Longboat

A CONDENSED TIMELINE OF EVENTS







Photographer: Kanatiio, 2004

TRICIA LOGAN

Tricia Logan is a Métis woman originally from Kakabeka Falls, Ontario, and she currently lives in Winnipeg, Manitoba. She recently completed her Master of Arts in the Department of Native Studies at the University of Manitoba. Her thesis topic was “Métis Experiences at Residential School.” Tricia is dedicated to the appropriate promotion, research, and representation of Métis history, Michif language, and truths about the residential school legacy. Since 2000, she has taught a course on the history of residential schools and is hoping to pursue a Ph.D. on the commemoration and legacy of the schools in Canada. Tricia recently took part in a Michif language program, living with Michif speakers in their homes. She currently works as a research officer at the Métis Centre of the National Aboriginal Health Organization.

Tricia’s passion for Métis history is evident in the opening section of her paper as she reflects upon the challenges she faced as a researcher attempting to uncover the truth about Métis experiences in residential school. She discovered that very little documentary evidence exists with respect to Métis attendance at the schools, although the anecdotal evidence was strong, including within her own family—Tricia’s grandmother and several other family members attended the Qu’Appelle Residential School in Lebret, Saskatchewan. In the paper, Tricia discusses the circumstances and policies that influenced Métis attendance at residential school and factors that contributed to a suppression of this history. She also quotes a sampling of Métis Survivors talking about their treatment in the schools.

Tricia concludes that commemoration could provide a venue for Métis Survivors to reconnect with lost memories of language, culture, and customs and to honour family members, friends, and classmates who did not survive: “Perhaps forgetting aided in the resilience, but now, in an open environment, active remembering and active forgetting will be done by choice, not necessity.”

A MÉTIS PERSPECTIVE ON TRUTH AND RECONCILIATION

REFLECTIONS OF A MÉTIS RESEARCHER

As a student of Métis history, I have been studying the Métis experience at residential schools since early in 2000. I began my studies in Brandon, Manitoba, when I was hired as a project coordinator of one of the first Aboriginal Healing Foundation projects for Métis in Canada. At that time I was asked to compile a record of Métis attendance in the Southwest Region of the Manitoba Métis Federation. I faced a great deal of skepticism about the topic. Many respected people that I asked knew little about where to find records of Métis attendance, although they were aware of an existing oral history of Métis and residential schools. Even though finding evidence and contacting Survivors was initially difficult, most people were quite certain Métis did attend despite incomplete and inaccurate records.

My grandmother and several members of her Métis family attended the Qu'Appelle Residential School in Saskatchewan. Considering this personal connection, it was slightly discouraging when academics and entire organizations refused to contribute to the study or suggested that I find a new topic. There seemed to be a general acceptance, in some small circles of academia, that Métis attendance was insignificant despite Métis claims to the contrary. Reliance on written records preserved by residential school administrators contributed greatly to the Métis story being under-represented and under-researched for so long.

As a Métis researcher, I have gained my own perspective on Métis attendance at residential schools. A great deal of this paper was compiled with the help from Métis Elders, Survivors, academics, and friends who supported this study.

During the summer of 2007, I spent one month in Camperville, Manitoba, participating in a language immersion project learning the Michif language from Elders in the community. My Michif instructors and members of their families had attended the residential school in Pine Creek and the day school in Camperville. The influence of the residential school era is quite evident in this region. Generations of First Nations and Métis from the Camperville, Pine Creek, and Duck Bay area where I was staying serve as just one example of the intergenerational impacts that extend into contemporary realities. My time in this community revealed several truths about the current reality for Métis Survivors. For example, an imposed class structure associated with residential school was mentioned several times, and divisions are still evident in the community today.

I cannot relive the times the Elders lived, but I can do my part to keep their memories alive. I can listen to what they have to say and learn about my culture and traditions from their knowledge and wisdom.

*Julie Renee Bull
Student*

Originally from Happy Valley-Goose Bay and a member of the Labrador Métis Nation

The time I had devoted to reclaiming Michif language and learning about Métis history was spent on a bench that once stood in a residential school.

I surprised myself during my month of Michif language immersion. I had recently completed my master's thesis on Métis experiences at residential school¹ before I arrived for my immersion program, and I thought the immersion would be a nice complement to my years of Western academic study. What most surprised me was how present and raw the thoughts of residential school are in this Métis community. What I thought was a trace of history is, in reality, an experience that is vividly alive.

The legacy of the schools came up several times when Elders were questioned about why they did not teach their children the Michif language. My Métis teachers' instruction by nuns had lasting impacts on them, so much so that they felt compelled to teach their children English and to dismiss their first language, Michif. The Elders recalled how their language was suppressed and their culture belittled. It was easy for me to make connections about how a language like Michif becomes endangered. The resolve of my teachers as well as many other Métis people was still stronger than the influence of the nuns. Many Métis resisted losing their Michif, continuing to speak and teach the language today.

What I learned in my years of studying residential schools was never so meaningful as it was when I was trying to learn an endangered language from some strong, resilient Métis women. I spent many days on the shores of Lake Winnipegosis learning Michif and the Métis way of life. On the shore of the lake, where I would swim daily and take my language lessons, were two benches. One of my Michif teachers would sit on a bench and yell out to me in Michif while I swam in the lake. We would go over the day's new Michif words while I floated by her bench on the shore.

I learned later that these benches were originally pews from the residential school in Pine Creek-Camperville. The time I had devoted to reclaiming Michif language and learning about Métis history was spent on a bench that once stood in a residential school. The benches were placed where the shore was picturesque, open, shaded, free and always surrounded with Michif language and stories. I often thought of where the bench-pews would have sat years ago. I felt that those who were forced to sit on them while at the school probably longed to see their lake, Lake Winnipegosis, as I was doing so leisurely. Instead, the children sat in a place where they were forbidden to be free, forbidden to speak, and removed from the homes of their parents and families. I could only speculate on what the children's wishes could have been during the hours of prayer spent on those benches.

Métis stories will be new to many, and many unheard stories will finally be heard. The fact that attendance of Métis students at the schools was overlooked

for so long sends a message to the Métis that remembrance of their lives is of no consequence to overall Canadian societal memory. In fact, remembering Métis experiences at residential school does have a bearing on society's collective conscience.

The Métis believe they are entitled to rights equitably with other Aboriginal people. They also feel there is a great deal of injustice to be rectified. Métis involvement in residential schools is only one injustice that is deserving of recognition and reparations by church and state. The Métis have a long intergenerational legacy of trauma. What they deserve is equitable treatment and, most importantly, to be remembered.

In the following pages I present an overview of Métis history and experience with the residential school system based on a combination of historical and archival research, supplemented by personal interviews with Métis Elders and Survivors.

MÉTIS HISTORY AND RESIDENTIAL SCHOOLS

The Métis are one of three Aboriginal peoples, along with Indians (First Nations) and Inuit, who are recognized in the *Constitution Act 1982* as having Aboriginal rights. However, there are few clear definitions of who is included in the Métis population or what entitlements are attached to their Aboriginal status. Historically, both federal and provincial governments have denied responsibility for Métis-specific policy and services, such as protecting occupancy of lands or providing education.

The Métis people originated primarily from unions of First Nations women and European fur traders. Gradually, communities with distinct Métis culture emerged, combining the dual streams of their heritage in unique ways and engaging in economic partnerships with Europeans. The *Report of the Royal Commission on Aboriginal Peoples* records the following:

Using their knowledge of European and Aboriginal languages, their family connections and their wilderness skills, they helped to extend non-Aboriginal contacts deep into the North American interior... [a]s interpreters, diplomats, guides, couriers, freighters, traders and suppliers [of essential goods].²

People and communities in eastern Canada identify as Métis, but the majority reside in the west, from northwestern Ontario across the Prairies and into British Columbia and the Northwest Territories. This paper focuses on the

experience of Métis who were most involved in residential schools, in the western region that is called the homeland of the Métis Nation.

Métis identity is not based on genetics. What distinguishes Métis is their attachment to culture and communities that are distinctly Métis, rooted in a historic lifestyle that involved seasonal hunting, periodic return to fixed trading bases, and mobile art forms of song, dance, fiddle music, and decorative clothing. A central component of Métis distinctiveness is the Michif language that blends components of French and Aboriginal languages in a unique way.³

The determination of Métis people to maintain a land base and pursue a distinct way of life in the face of colonial encroachment periodically generated open conflict. In 1815–16 at Seven Oaks, a location along the Red River in what is now part of Manitoba, the Métis under the leadership of Cuthbert Grant, along with First Nation allies, prevailed against an armed colonial force led by Governor Semple. The Battle of Seven Oaks is usually cited as a beginning of Métis nationhood. Following Confederation, Louis Riel led the Métis in a provisional government that created a list of rights for the Métis that would later be incorporated in the *Manitoba Act* of 1870. These actions by Riel and the Métis helped procure rights to land for the Métis and created the province of Manitoba. Similar actions were attempted around Batoche in 1885, to help assert the rights of the Métis in what would become the province of Saskatchewan. In 1885, the Canadian militia was called in to forcibly settle the problems with the Métis. The Canadian government saw the Métis as a problem in many ways, but mainly as massive opposition to their settlement plans and an impediment to progress in creating the Canadian Pacific Railway.⁴ The Métis were defeated, and Louis Riel was hanged in 1885.⁵

Although Louis Riel was hanged for treason, he continued to be regarded by the Métis as a patriot and a father of Confederation.⁶ If Riel were to be pardoned posthumously by the Government of Canada, many Métis would consider this a significant gesture. The act could potentially make current land and rights disputes between government and the Métis proceed more efficiently.⁷

The *Manitoba Act* of 1870, given constitutional status in 1871, promised 1.4 million acres of land to Métis children, to be distributed as land entitlements called scrip. Dispute over the terms of distribution, allotments that did not fit with the occupancy patterns of the Métis, sharp dealing by unscrupulous land agents, and outright corruption by government officials deprived most Métis of the benefits of the constitutional provision.⁸

After the events of 1870 and 1885, the Métis were rapidly dispossessed of their land base in the west. The distribution of scrip was regarded by government as having dealt with Métis rights to land and having discharged any related government obligations, although the Métis continue to contest this position. Stripped of land, money, and basic citizenship rights they entered a period called *the forgotten years*. They were cast as “rebels” and the “other” Aboriginal people, often left as a footnote in Aboriginal histories, without the entitlements and protections afforded by the treaties to First Nations.⁹

Two branches of the Métis population emerged historically. The “country-born” were children of Anglo-Saxon employees of the Hudson’s Bay Company. Those who remained near trading posts for a good part of the year had some access to formal education on an ad hoc basis, and a few became successful professionals. The Red River Métis, children of French traders, extended their influence to the north and the west, hunting and travelling extensively, with fewer opportunities for education. Neither civil nor religious authorities showed much interest in the education of the Métis, although following the Battle of Seven Oaks the governor of the Red River colony invited the Roman Catholic Church to set up missions among the Plains Métis.¹⁰

Métis attendance and discharge from residential schools was not regulated in the same way as First Nations students’ attendance. Mandatory and forcible attendance at residential school was a condition for First Nations students but it was not always so for the Métis.¹¹ The Métis fell between the jurisdictions of federal and provincial governments and were subject to inconsistent and disorganized policies. At the same time, Métis parents had a level of self-determination in deciding whether their children would attend residential schools.

FACTORS INFLUENCING MÉTIS ATTENDANCE AT RESIDENTIAL SCHOOL

The Métis presented two types of problems for colonial society. Because of the history of conflict they were seen as a threat to peaceful settlement, and they existed in a grey area in which neither the provincial governments of the western provinces nor the federal government wanted to provide services such as education.

Churches and government officials in the field made the argument that it was in the interests of the Dominion to admit Métis children to Indian residential schools. A letter to Indian Affairs in 1911 stated:

Métis who were turned away from federal-run residential schools for being *too white* were often turned away from provincial schools for being *too Indian*.

it is the duty of the Provincial Governments to provide education for Half-breeds ... for the proper up-bringing of the unfortunate class of children ... What is to keep them from becoming outcasts and menaces to society if they be not taken into Indian schools - schools established and maintained, be it remembered, not for the mere purpose of fulfilling the conditions of Indian treaties, but in the interest of the commonwealth.¹²

A Métis informant reported to this researcher that the Métis who were turned away from federal-run residential schools for being *too white* were often turned away from provincial schools for being *too Indian*.¹³ The extent of exclusion that Métis experienced is indicated in the report of Alberta's Ewing Commission in 1936, which indicated that eighty per cent of Métis children in the province had no schooling at all.¹⁴ Debate continued throughout the history of residential schools about whether Métis children should be admitted, what criteria should be applied, and who would pay their tuition.

The enrolment of Métis children in residential schools would depend on a combination of their own self-determination and church and government policy. Per capita funding of residential schools made it advantageous for school administrators to admit Métis students when numbers of First Nations students were low, to move them from one school to another to adjust enrolments, or to exclude them altogether.

Per capita funding provided by the Department of Indian Affairs meant that schools with more children would receive more funding. Métis children were used to manipulate this per capita system and secure more funding for schools with low attendance. Métis children were the first to be removed or added to attendance lists in order for churches to increase their schools' attendance and therefore access more funding from the federal government. Some schools were faced with the possibility of closure due to low attendance. One school often faced with closure was the Washakada School in Elkhorn, Manitoba. To keep the school open, church officials moved students from the Qu'Appelle School in Lebret, Saskatchewan, to Elkhorn. In 1924, Indian Commissioner W. Graham wrote:

I worked hard and got every child out of the Qu'Appelle School, who had no right to be there ... if it is decided by the Department, that we should admit half breeds living as Indians, off the Reserves; and if this is the class of persons you want to admit to our schools, I can fill the Elkhorn School in three weeks.¹⁵

Due to the manipulation of attendance numbers and the strict administration of per capita funds payable on behalf of First Nations children only, many of the records that exist on attendance and discharge from schools are unreliable. Inaccurate record keeping and restriction of public access to records has influenced the perception of Métis attendance at residential schools overall.

As requests for Métis enrolment from communities and churches started to multiply in the early 1900s, the federal government tried to regulate the costs involved with allowing Métis attendance. The Department of Indian Affairs created a social-class hierarchy based on the predetermined stereotypes about First Nations and Métis. The class system would identify the target groups that the government would be willing to spend federal funds on. Residential school officials from Manitoba, Saskatchewan, and Alberta agreed on the following class-based system:

Halfbreeds may be grouped into three fairly well-defined classes:

1. Those who live, in varying degrees of conditions, the ordinary settled life of the country.
2. Those who live, in varying degrees, the Indian mode of life.
3. Those who – and they form the most unfortunate class in the community – are the illegitimate offspring of Indian women, and of whom white men are not the begetters.¹⁶

Those of the first class make no claim upon the Government of the Dominion for the education of their children; nor has any such claim as far as the knowledge of the undersigned goes been made on their behalf. The third class are entitled to participate in the benefits of the Indian schools ... As to the second class of Halfbreed the undersigned at once admit that they present a difficult educational problem, but the very difficulty effects a strong reason against drawing a hard and fast line such as it is drawn. This second class of Halfbreeds may be divided into three groups:

1. Those who live apart from Indians but follow a somewhat Indian mode of life
2. Those who live in the vicinity of Indian Reserves
3. [Those who] [l]ive on the Reserves¹⁷

In arguing for admission of Métis students, school officials pointed out that

such schools were established not to meet treaty obligations towards Indians, but as a means of preventing, in the public interest, a race of

wild men growing up whose hands would be against all men and all men's hands against them.¹⁸

If the government or churches perceived Métis children as living an “Indian mode” of life, as savages or as un-Christianized, they were more likely to take the children into the residential schools.

The Roman Catholic Church was particularly influential in Métis involvement in residential schools. Some schools opened in predominately Métis communities because of the early missionary history of the Roman Catholic Church in that area. Fort Ellice and Camperville, Manitoba, Lebret and Isle a la Crosse, Saskatchewan, and St. Paul's, Alberta, have centuries of Métis history and Roman Catholic missions and were also home to some of the largest residential schools where Métis attendance was high. Métis families who were closely tied to Roman Catholicism often requested that their children be taken to a Roman Catholic school, but Métis were not accustomed to the severity and aggressiveness of socialization that was practiced in the schools. The influence of religious denomination drew Métis students to the schools, but it also led to mistrust of the church and resistance against church relationships. A student at a church-run day school remembered morning catechism:

We had to go to catechism on the reserve, at the residential school we had to walk, we had to go in the morning, every morning. Before communion, you got to go about two or three months before you can go to communion, 'cause you're a pagan baby you know.¹⁹

Residential schooling was, in some cases, the only option available if Métis parents wanted their children to attend school. Conversely, school administrators and Indian agents charged with populating the schools would take children who they deemed to be “living an Indian mode of life” into the schools regardless of their identification as First Nations or Métis. Within a certain geographic area, First Nations and Métis children would be taken to the schools primarily due to their location in relation to the school. Métis received little or no funding for attending residential school, so transportation was their own responsibility. Schools would be filled with First Nations students who were transported hundreds of kilometres from their homes, but the Métis were usually limited to attending schools that were in close proximity to them.

While distance often made students long more for home, geographic location stood as a small barrier for those students who were determined to escape. Emotional and intellectual coercion had a far greater impact on keeping

Growing up in a small Manitoba community just outside of my reserve, there was no teaching about my rich native culture. My mother was one hundred per cent native while my father was from an Irish/German background. I have a vague and dusty memory of a powwow when I was about four years old. All other messages about the culture I inherited were negative.

Melanie Ferris, 28
Anishinaabe
Mother, entrepreneur,
intergenerational Survivor
Toronto, Ontario

students in the schools, and location did not work for student retention as much as was hoped.

The Department of Indian Affairs, which regulated attendance policies, would sometimes allow Métis attendance on request. While some of the churches that administered the schools would manipulate government attendance policies, others adhered to the government restrictions. Church-department correspondence indicates that some churches applied to the Indian agents and/or the Department directly to request Métis attendance. Many of the requests were made on behalf of Métis families who had prior communication or relationships with the churches that ran the schools. Some arrangements were made to the mutual benefit of the school and the Métis:

the Department will not object ... to their attending the schools, provided their parents will, as suggested by the Agent deliver a few loads of wood at the school for the winter.²⁰

Evidence of a long-term understanding between churches and the Métis can be seen in the flexibility that was allowed to the Métis in their attendance at residential school. First Nations women who lost their status by marrying either a non-Aboriginal or a Métis man might be eligible in some time periods for treaty annuities. In some cases the churches could draw on treaty money or family allowance cheques to subsidize the children's attendance at the schools.²¹

Perceptions about race and physical appearance influenced Métis attendance at residential school. In correspondence from Indian agents who evaluated students at the schools, racial characteristics were often considered. In a letter from Lytton Industrial School, the subject line read "Re: Admission to Halfbreeds into Industrial Schools," and the body of the letter included the following description:

There are difficulties in this matter – I had two boys in school – one grey eyes – hair lighter than Indians in texture and colour – very fair skin – the other Indian in all appearances – both of the same mother – the same father, acknowledged with.²²

Characterizations that were unimportant to the Métis were used arbitrarily by government and churches to make decisions on whether or not they would admit certain students.

Nuns and priests at each school viewed both First Nations and the Métis as the “pagan babies”²³ and considered their own role in the schools as an obligation to save these “savages and heathens.” In close contact with the Métis communities and First Nation reserves, churches were keen to help “save” the Métis as well as First Nations. A letter from the Bishop of Keewatin, written in 1917, asked about the admission of Métis to residential schools:

I want to ask you if, in this Northern part of the Northwest where Indians are bound to remain in their reserve and are living side by side with the Halfbreeds in the wilds, the children of those Halfbreeds can be admitted in Indian Boarding Schools.²⁴

While the government was willing to provide the Métis with a badly administered system of land and money scrip in recognition of their Aboriginal rights, few other services were offered to the Métis. The one consistent feature of government policy was the objective to save money. Métis attendance was discouraged through funding rules under the per capita system, which specifically stated that “No names other than those of Indian children are to be included in this Return.”²⁵ The importance of submitting returns to the Department of Indian Affairs was emphasized by another rule set by the Department: “No teacher’s salary will be paid until this Return has been received by the Department.”²⁶

THE RESIDENTIAL SCHOOL AND CHILD WELFARE SYSTEM CONNECTION

In addition to the impact of residential schooling itself, another practice had an impact on Métis families and communities. There are numerous connections between the residential school system and the child welfare system. Reconciliation for the Métis would mean a considerable effort being made to investigate these connections and the overall child welfare system, past and present. Michif Elder Rita Flamand worked closely with Métis children and helped repatriate children who were removed from their families in what became known as the Sixties Scoop:

That’s the time when they started picking up kids later on, when the lake started to dry up and there was no fish in the lake, the people were starting to have a real hard time in the community and that’s when they took the kids. They should have helped the parents to keep the kids ... they just took the kids and didn’t help the people.²⁷

Métis Elders interviewed about residential school experiences ask why a similar study on the impacts of the child welfare system is not being conducted. For the Métis and other Aboriginal people in Canada, the child welfare system was another publicly supported and administered way of assimilating their children. The widespread practice of removing children from their Métis families and placing them in white, middle-class foster and adoptive homes was ideologically an extension of the residential school model, perpetuating the false image of the unfit Métis parent. The provincial child welfare system mutated into a state-sanctioned transfer of children from one group to another group:

The white social worker, following hard on the heels of the missionary, the priest and the Indian agent, was convinced that the only hope for the salvation of the Indian people lay in the removal of their children.²⁸

Métis families have been negatively altered by federal, provincial, and church policies created in the name of “child care.” The prevailing doctrine that external agencies had authority over the care of Métis children existed for over a century and did what many consider irreparable damage to Métis families and communities. Geoffrey York, in his book *The Dispossessed: Life and Death in Native Canada*, comments on the removal of thousands of children during the 1960s and 1970s and their placement with non-Aboriginal adoptive parents and foster families:

During these two decades child welfare agencies sent Indian and Métis children from Manitoba and other provinces to the homes of white middle-class couples in Canada and the United States, on the assumption that these couples would make better parents than low-income families on Indian reserves and in Métis communities. Years later, it became obvious that the policy was a failure.²⁹

CREATION OF A “HALF-BREED” CLASS STRUCTURE

Métis people’s cultural identity and economic system was derived during the early to mid-1800s from hunting and liaison with fur trade companies. Métis identity cannot be reduced to one firm concept; rather, it is a fluid process that allowed the Métis to optimize their economic and social potential. Métis identity evolved with each challenge that it faced. The core of the identity never changed, but the perception of that identity progressed to fit new parameters that the Métis were offered. Their core remained at all times distinctly Métis with a culture and language that was always greater than the sum of its original

The most common statement made by Métis residential school Survivors is: “We were outsiders.”

parts, always more than just a “half” of anything. During the growth of Métis identity in the West, Métis themselves created their own social system based on the buffalo hunt, trading, and entrepreneurship.

Canada’s racist rearrangement of Métis social structures is still reverberating in Métis communities today. Categorization according to criteria of blood quantum or environment as perceived by residential school administrators, Indian agents, clergy, and non-Aboriginal community members created divisions that persist today.

The nuns, they segregated us, you might as well say ... from the better Métis to the poor Métis. Well, the nuns always had respect for the Moms and Dads that they knew.³⁰

Métis students had memories of the children with money being treated differently than those who lived off the land. Those Métis who were perceived as living the country mode of life were treated differently than those who were living an Indian mode of life. Proximity to a First Nations reserve, farm, farm co-op, road allowance, or to the bush determined how external agencies (schools or child welfare) would see a child’s environment. These early class distinctions were used by the residential schools and were carried over into different government programs.

The role of the Indian agents in these various Department of Indian Affairs agencies in determining a class structure influenced the Métis even though they were not directly impacted by the *Indian Act* itself. Agents were charged with conducting follow-up reports on former residential school students; female students were reported as doing well if they were married to a white man and doing poorly if they were married to a Métis man. If former students, First Nations or Métis, returned to their homes or to the bush after graduation, they were also considered as doing poorly.³¹

The class distinctions created by Indian Affairs carried over to how the Métis and First Nations saw themselves. They were taught to judge themselves and one another by these value-laden characteristics, thus internalizing oppression. Coming from Métis communities and large families, Métis children originally had little or no concept of Western class distinctions, definitions of poverty, or racism. Entering residential school often meant that they were learning about non-Aboriginal Canada for the first time and, at the same time, they were learning what non-Aboriginal Canada thought about them. The most common statement made by Métis residential school Survivors is: “We were outsiders.”³²

Too white to be considered eligible for Aboriginal rights and too brown to be treated as full Canadian citizens, the Métis were always slipping through the cracks. Being considered outsiders at residential school was simply a reflection of how dominant Canada perceived Métis people. Métis children were singled out by teachers and ridiculed by First Nations classmates for being half-breeds. Entering residential school meant entering an atmosphere of gender segregation, racial persecution, and constant ridicule. One Métis Survivor stated:

The nuns told us, you know, Indians were bad. Now why would they be telling us Indians were bad? It doesn't matter how tiny bit of Indian or white or whatever; they shouldn't say one nationality is so bad, why? We were little Indian kids, us Métis. They called us half-breeds. I hate that word but who are they to say. I felt bad about that when they called us half-breeds ... When you do something wrong they call you nothing but an f'ing half-breed.³³

Métis children learned exactly what being a half-breed meant in the eyes of school personnel. One Métis Survivor remembered how hard it was:

It was very hard to be there with Sisters always after you ... calling me "*sauvage*" which meant "savage" in French or "*le chien*" that meant "dog." That's what they used to call us when we didn't listen. I knew what it was because my mom and dad spoke French and the other kids didn't know what it was; they didn't know the French language.³⁴

Métis children learned at a young age just what being a dog, a "breed," a "mutt," or a half-breed really meant to non-Métis. All students had daily reinforcement of the inhumanity that came with church-led illusions of superiority by being spoken to, fed, and disciplined as dogs. Michif Elder Grace Zoldy pointed out the students' perspective on the abuse in the schools:

We never said anything 'cause we thought it was normal. We thought it was normal in the white system. We didn't know they were coming here to use us and abuse us in any way possible. We didn't know that. Our parents didn't know that.³⁵

COMMON EXPERIENCE PAYMENTS

Indian Residential Schools Resolution Canada recently started delivering common experience payments to recognized residential school Survivors in

Canada. Media attention has focused on these payments and the rest of the compensation package. It is hoped that the truth and reconciliation process will play a role in educating Canadians about the real impact of residential schooling on Survivors. It is encouraging to know that the residential school legacy need not remain in the collective Canadian memory only as the origin of monetary payouts.

Métis are included in the common experience payments according to section 14.01 of the *Indian Residential Schools Settlement Agreement*.³⁶ There are barriers that some Métis people fear will keep them from being included in the common experience payment, denying their eligibility for the compensation packages. One barrier is the list of schools that are considered residential schools under the *Agreement*. Several schools considered residential schools by the former students are not listed in the *Settlement Agreement*. Schools can be added to the list of schools in Schedule F of the *Agreement*, but the schools must be defined as residential schools according to Section 12.01, which reads:

- a) The child was placed in a residence away from the family home by or under the authority of Canada for the purposes of education; and,
- b) Canada was jointly or solely responsible for the operation of the residence and care of the children resident there.³⁷

As previously outlined, many Métis were enrolled according to the location of the schools. Métis were more likely to attend schools if they were close to home and especially if the schools were associated with the already-established Roman Catholic missions in their communities. Métis attended the schools and were subjected to the same treatment as the other students, but the Métis did not have to stay at the schools since the schools were built in their home communities. As some of these schools are and were considered “day schools” only, even though they were administered by the same clergy and agencies, they are not included in the current *Settlement Agreement*. Métis Survivors who attended day schools or some residential schools as day students feel that they are entitled to the compensation package, but Métis former students are likely to be left out because of the criteria for defining which schools are included in the settlement.

The seemingly perpetual grey area that influenced Métis attendance while they were in the schools continues to impact how their claims are addressed today. Métis attendance was inconsistent due to changing policies, and Métis attendance over the entire residential school era was relatively low. Data assembled by Indian and Northern Affairs Canada estimated that of 105,000

to 107,000 former students alive in 1991, eighty per cent were registered Indians, nine per cent were Métis, six per cent were non-status Indians, and five per cent were Inuit.³⁸ Even though the Métis and Inuit represent a small percentage of former students still alive, the manner in which they are currently represented in resolution provisions is not representative of the number that did attend. Fewer Métis attended the schools, but in many cases there is no record at all of those who did attend.

In order to address the Métis experience, the role that provinces played in residential schools and the child welfare system needs to be acknowledged. In order to get a complete picture of how Métis children were handled, links between the federal government, churches, and provincial governments need to be traced. There are too many similarities and patterns of aggressive assimilation between the three main administrators that impacted the Métis to overlook the connections between them.

COMMEMORATION AND FORCED FORGETTING

The effort to instill new languages, new culture, and Euro-Canadian world views into young Aboriginal minds worked simultaneously with cultural annihilation. At the same time that First Nations, Métis, and Inuit children were forced to learn new ways of knowing, they were also forced to forget and banish all of their old ways. Students were forced into forgetting and, as adults, it is something that still troubles them. Reclaiming language, traditions, knowledge, customs, culture, and family memories is attempted by many, if not most, Survivors. Annihilation of memories of their physical, spiritual, emotional, and mental homeland was something even those Survivors with the most positive memories of residential school experienced.

Potentially, commemoration will take place in coordination with the truth and reconciliation process, and it could help to provide a supportive venue for Survivors' remembering. In addition, truth and reconciliation events will provide critical recognition of the role that Canada and the churches played. The act of informing bystander Canadians of a long-held secret will aid in reconciliation. Education and regaining lost memories of language, culture, and customs will help rebuild pride and resilience in those who were forced to forget. Some of what they were forced to forget were the children who died during their time at the schools.

Frequent questions and requests for information from residential school Survivors concern the children who passed away at the schools. Some children died from disease, neglect, and abuse; others who died after attempts to run

away were used by the school administrators as so-called examples, essentially saying, “This is what happens when you misbehave.” Many Survivors remember funerals being used as lessons. There is a collective longing among former students who lost family members, friends, and classmates at residential school to resolve the trauma of loss and to honour those who passed away. Métis students join their First Nations and Inuit classmates in requesting cemetery records and death certificates.

It is often said that Métis, and all Survivors, are resilient. Perhaps forgetting aided in the resilience, but now, in an open environment, active remembering and active forgetting will be done by choice, not necessity.

NOTES

¹ Logan, T.E. (2007). *We Were Outsiders: The Métis and Residential Schools* (M.A. thesis, University of Manitoba).

² Royal Commission on Aboriginal Peoples [RCAP] (1996:199–200). *Report of the Royal Commission on Aboriginal Peoples, Volume 4: Perspectives and Realities*. Ottawa, ON: Minister of Supply and Services Canada.

³ RCAP (1996).

⁴ Shore, Fred (2001). “The Emergence of the Métis Nation in Manitoba”. In L. Barkwell, L. Dorion and D. Prefontaine. Winnipeg, MB: Pemmican Publications: 76–77.

⁵ Shore (2001).

⁶ RCAP (1996).

⁷ Friesen, J.W. and Friesen V.L. (2004). *We are Included: The Métis People of Canada Realize Riel’s Vision*. Calgary, AB: Detselig.

⁸ RCAP (1996).

⁹ Logan, T.E. (2006). *Lost Generations: The Silent Métis of the Residential School System: Revised Interim Report*. In L.N. Chartrand, T.E. Logan, and J.D. Daniels, *Métis History and Experience and Residential Schools in Canada*. Ottawa, ON: Aboriginal Healing Foundation: 57–93.

¹⁰ Chartrand, L.N. (2006). *Métis Residential School Participation: A Literature Review*. In L.N. Chartrand, T.E. Logan, and J.D. Daniels, *Métis History and Experience and Residential Schools in Canada*. Ottawa, ON: Aboriginal Healing Foundation: 5–55.

¹¹ Milloy, J.S. (1999). *A National Crime: The Canadian Government and the Residential School System - 1879 to 1986*. Winnipeg, MB: The University of Manitoba Press.

¹² Provincial Archives of Manitoba. Letter dated 9 November 1911 to the secretary, Department of Indian Affairs, Ottawa from “an obedient servant,” [signature obscured], Winnipeg. RG 10, File 150-9, Vol. 6031.

¹³ Bourassa, Madeleine (2004). Personal communication, Lebreton, Saskatchewan, November 2004.

¹⁴ Government of Alberta (1936:7). Report of the Royal Commission Appointed to Investigate the Conditions of the Half-Breed Population of Alberta. Edmonton, AB: Provincial Museum and Archives of Alberta, 1936). Cited in RCAP (1996:435). Report of the Royal Commission on Aboriginal Peoples, Volume 3: Gathering Strength. Ottawa, ON: Minister of Supply and Services Canada.

¹⁵ Provincial Archives of Manitoba. Letter from Indian Commissioner W. Graham dated 17 April 1924.

¹⁶ It is not clear in the record whether “illegitimate” simply meant that “begetters” were not established as Indians who could pass on entitlement to treaty annuities. Although they were identified as half-breeds, this did not appear to be an impediment to being enrolled in residential schools.

¹⁷ Provincial Archives of Manitoba. Letter from Emile J. (St. Albert), Adilard (St. Boniface), Olivier Elizard (Regina), Emile Grouard (Athabaska). RG 10, vol. 6039, file 160-1, part 1.

¹⁸ Provincial Archives of Manitoba. Letter from Emile J. (St. Albert), Adilard (St. Boniface), Olivier Elizard (Regina), Emile Grouard (Athabaska).

¹⁹ Zoldy, Grace (2007). Personal communication, Camperville, Manitoba, 9 November 2007.

²⁰ Provincial Archives of Manitoba. Letter from Deputy Superintendent General dated 25 April 1904. RG 10, Vol 6031, File 150-9, Part 1.

²¹ Logan, Helen (2004). Personal communication, Regina, Saskatchewan, November 2004.

²² Letter dated 7 February 1911 as cited in Shore, Fred J. and Lawrence J. Barkwell (eds.) (1997). Past reflects the present: the Métis Elders’ Conference. Winnipeg, MB: Manitoba Métis Federation.

²³ Zoldy (2007).

²⁴ Provincial Archives of Manitoba. Letter dated 19 February 1917 from O. Charlebois, Bishop of Keewatin, The Pas, Manitoba. RG 10, vol. 6031, file 150-9, part 1.

²⁵ Saskatchewan Archives Board. Education File, Add 2, File 48, Ed. Add 2, 48.

²⁶ Saskatchewan Archives Board. Education File, Add 2, File 48, Ed. Add 2, 48.

²⁷ Flamand, Rita (2007). Personal Communication, Camperville, Manitoba, 9 November 2007.

²⁸ Fournier, S. and E. Crey (1997:84). *Stolen From Our Embrace: The Abduction of First Nations Children and the Restoration of Aboriginal Communities*. Vancouver, BC: Douglas and McIntyre.

²⁹ York, G. (1990:202). *The Dispossessed: Life and Death in Native Canada*. Toronto, ON: McArthur & Company Publishing Limited.

³⁰ Zoldy (2007).

³¹ Examples of follow-up reporting can be found in Provincial Archives of Manitoba. Indian Affairs. School Files, RG 10, Volume 6032, File 150-14, part 2.

³² Blondeau, Tillie (2000). Personal communication, Lebret, Saskatchewan, April, 2000.

³³ Anonymous cited in Daniels, J. (2004:58–59). *Métis Memories of Residential School*. Edmonton, AB: Métis Nation of Alberta.

³⁴ Anonymous cited in Daniels (2004:111).

³⁵ Zoldy (2007).

³⁶ Indian Residential Schools Resolution Canada (2006). *Indian Residential Schools Settlement Agreement*. Retrieved on 10 January 2008 from: http://www.irsr-rqpi.gc.ca/english/pdf/Indian_Residential_Schools_Settlement_Agreement.PDF

³⁷ Indian Residential Schools Resolution Canada (2006:63).

³⁸ Castellano, M. Brant (2006). *Final Report of the Aboriginal Healing Foundation, Volume I: A Healing Journey: Reclaiming Wellness*. Ottawa, ON: Aboriginal Healing Foundation.



Two Métis children standing next to an Inuit child (centre) at the Anglican-run All Saints Residential School, Shingle Point, Yukon, ca. 1930

Photographer: J.F. Moran

Library and Archives Canada, PA-102086

(This photo can also be found, along with many other resources, at www.wherearethekids.ca)

JOHN AMAGOALIK

John Amagoalik was born in a hunting camp near Inukjuaq, Nunavik (northern Quebec) and grew up in Resolute Bay in the High Arctic. After attending high school in Churchill, Manitoba, and Iqaluit, Nunavut, he worked as regional information officer for the Government of the Northwest Territories and then as executive director of the Inuit Claims Commission. In 1979 he was elected vice-president of Inuit Tapirisat of Canada (now Inuit Tapiriit Kanatami), and he served two terms as president during the 1980s. Throughout the 1990s, as chief commissioner of the Nunavut Implementation Commission, he worked passionately on the detailed planning required to prepare for the new Nunavut Territory. He lobbied actively for the creation of an electoral process that would guarantee gender parity in the new legislature; however, the proposal did not gain enough support to be implemented when the Nunavut Territory was created in 1999.

John has been recognized with a National Aboriginal Achievement Award, an Award of Excellence from the Canadian Public Service Agency, an honorary Ph.D. from St. Mary's University, and a Special Recognition Award from the Qikiqtani Inuit Association (QIA). In 1999, John was named a Chevalier of the French Legion of Honour. He currently works as QIA's director of Lands and Resources.

John's contribution to this collection is a clear and strong indictment of Canada's treatment of Aboriginal people in general and Inuit in particular. In *Reconciliation or Conciliation? An Inuit Perspective*, John questions whether there has ever been a truly harmonious relationship between the new arrivals and the original inhabitants of North America. He describes some of the steps Canada should take to facilitate conciliation: Canada must apologize, abandon its culture of denial, stop honouring historical figures who committed crimes against Aboriginal people, address systemic socio-economic disparities, honour its treaty obligations, and acknowledge Inuit contributions to Canadian sovereignty over the Arctic.

RECONCILIATION OR CONCILIATION? AN INUIT PERSPECTIVE

The Merriam-Webster's Dictionary of Law defines *reconcile* as:

1. to restore to harmony
2. to bring to resolution
3. ... reestablishing a harmonious relationship¹

According to Dictionary.com, *conciliate* is defined as:

1. to overcome the distrust or hostility of; placate; win over ...
2. to win or gain (goodwill, regard, or favor).
3. to make compatible ...
4. to become agreeable.²

Since Europeans arrived on our shores more than five hundred years ago, there has never really been a harmonious relationship between the new arrivals and the original inhabitants of North America. The history of this relationship is marked by crushing colonialism, attempted genocide, wars, massacres, theft of land and resources, broken treaties, broken promises, abuse of human rights, relocations, residential schools, and so on.

Because there has been no harmonious relationship, we have to start with *conciliation*. We have to overcome distrust and hostility, make things compatible, and become agreeable. For this to happen, from the Inuit perspective, many things need to be considered.

Canada must acknowledge its past history of shameful treatment of Aboriginal peoples. It must acknowledge its racist legacy. It should not only acknowledge these facts, but also take steps to make sure that the country's history books reflect these realities.

Non-Aboriginal Canadians cannot fully understand the crushing effect of colonialism on a people. They do not appreciate the negative self-image that people can have about themselves when another culture projects itself as being "superior" and acts to impose its laws, language, values, and culture upon the other.

Canadians must understand that their leaders had assimilation policies designed to kill Aboriginal cultures and traditions. In reference to Inuit, the

Among Inuit, many unresolved issues, including violence between people, are related to residential schools and also to the relocation from Northern Quebec to the High Arctic. We are still dealing with these issues in our communities.

*Martha Flaherty
AHF Board member
Inuk
Almonte, Ontario*

High Arctic Relocation:

The relocation was an ill-conceived solution that was inhumane in its design and its effects. The conception, planning, execution and continuing supervision of the relocation did not accord with Canada's then prevailing international human rights commitments.

The government, in the final analysis, failed in its fiduciary responsibilities to the relocatees.⁸

An acknowledgement of the wrongs suffered by the relocatees and their families, as well as their communities, coupled with an apology is warranted.⁹

Report of the Royal Commission on Aboriginal Peoples quoted an unnamed federal administrator as writing in a 1952 report, "Their civilization, because it is without hope of advancement, should be ruthlessly discouraged."³ Because of this mindset, assimilation policies were implemented. Children were taken from their families and homes, placed in faraway residential schools, and forbidden to practice their languages and cultures. Aboriginal children, as young as five years, were taken from their parents and placed in schools where many were psychologically, physically, and sexually abused by church and government officials.

Some Aboriginal groups, such as the Beothuk in Newfoundland, were hunted for "sport" by white settlers until they became extinct.⁴

There are hundreds, perhaps thousands, of broken promises, broken treaties, unfulfilled obligations, and commitments. Many Canadians think these broken promises only happened in the distant past. They are still happening today. At the time of this writing (2007), the Nunavut Tunngavik Incorporated, the body that negotiated and signed the Nunavut Land Claims Agreement, is taking the Government of Canada to court because the government has not lived up to dozens of its obligations in this modern treaty, signed in 1993. They broke their past promises and they are still breaking them today. The Government of Canada reneged on its commitments in the Kelowna Accord. First Nations still have to resort to highway and railway blockades, occupations, and civil disobedience to remind Canadians of broken treaties, theft, and murder.

When Inuit from Nunavik (northern Quebec) were relocated to the High Arctic⁵ in the 1950s under false promises of eventual return, their human rights were violated and the Government of Canada abandoned them under harsh conditions. It was decades later when the government finally admitted that they were relocated to bolster Canada's claim to sovereignty over the High Arctic Islands.⁶ The Government of Canada refuses to apologize.

When thousands of Eskimo huskies were slaughtered by the RCMP, the government again pleaded innocence. They denied it happened when there is overwhelming evidence that it occurred.⁷

When Canadian sovereignty over the Arctic is mentioned today, the discussion revolves around purchasing icebreakers and offshore patrol ships without any mention of Inuit. The government seems to have forgotten that Inuit have been occupying and using the lands and resources for thousands of years. It is as if Inuit are a non-entity and not a factor in the sovereignty debate. Our use and occupancy, our land claims treaty with Canada over these lands and waters,

and our commitment to Canada are lynchpins of Canadian sovereignty in the Arctic.

Martin Frobisher was recently honoured by the Canadian Mint with a commemorative coin and presented as a hero. To the Inuit of southern Baffin Island, he was a pirate,¹⁰ a kidnapper, and a murderer. He deserves no honour.

TOWARD CONCILIATION

Canada needs to apologize. In order for there to be forgiveness, there has to be a genuine and sincere apology. Canada has already apologized to the Japanese and the Chinese. Why does it not do the same to the Aboriginal peoples who have been its most obvious victims over the centuries?

Canada must abandon its culture of denial when it comes to crimes against Aboriginal nations.

Canada must stop honouring historical figures who committed crimes against our people.

Canada must put in place a long-term program to improve the socio-economic status of our people, to improve health and education, and to effectively deal with the housing crisis that faces our Aboriginal communities. Canada must honour its obligations under historical and modern treaties. The legacy of broken promises must stop.

Canada must recognize and acknowledge the Inuit use and occupancy of our homeland and our commitment to Canada as the cornerstones of Canada's claim to the Arctic and its internal waters.

Zebedee Nungak, one of the foremost Inuit thinkers in Canada, has some recommendations. He writes.

The power relationship between Canada's governmental jurisdictions and its Aboriginal Peoples has to be fundamentally corrected. That is, from a lopsided Benefactor/Beneficiary set-up, to more of a Nation-to-Nation, equal-to-equal level jurisdictional field.

The country's legislatures have to deliberately make room for Aboriginal representation in mainstream political life. This includes Parliament, which, being supreme, should tackle this innovatively. Government policies towards Aboriginal Peoples have to be totally

Martin Frobisher:

During the summer of 1577, Martin Frobisher and his crew captured an Inuk man with the intent of bringing him back to England. Shortly afterwards, some of the crew came across an Inuit encampment, and after a skirmish in which five or six Inuit men were killed, they captured "an old woman and a younger female with a baby." The "elder woman was stripped to see if she were clouen footed, but was then released ... The younger woman and child were secured and taken back to the pinnaces, to become the second and third of Frobisher's captives."¹¹

George Best, one of Martin Frobisher's men, reported in his diary, "Having now got a woman captive for the comfort of our man, we brought them together, and every man with silence desired to behold the manner of their meeting and entertainment..." In a book published in 1928, the author praised Best's diary for its "remarkable account of the meeting of the two adult savages, the Englishmen looking on with interest..."¹²

renovated. Aboriginals should not be required to go through the indignities of “surrender and extinguishment” for their lands and resources.¹³

IS THERE A TRUE COMMITMENT?

So, in order to facilitate conciliation, Canada, as a maturing nation, must take significant and sincere steps to that end. It is high time for Canada to act honourably. Looking at history, this may be asking too much.

NOTES

¹ Merriam-Webster’s Dictionary of Law (1996). Retrieved 18 December 2007 from <http://dictionary.lp.findlaw.com/scripts/results.pl?co=dictionary.lp.findlaw.com&topic=50/5049720b943657385f6a60f9f7123e74>

² Dictionary.com Unabridged (v 1.1). Retrieved 15 November 2007 from: <http://dictionary.reference.com/browse/conciliate>

³ Cited in Royal Commission on Aboriginal Peoples [RCAP] (1996:458). Report of the Royal Commission on Aboriginal Peoples, Volume 1: Looking Forward, Looking Back. Ottawa, ON: Minister of Supply and Services Canada. The quotation is from a document entitled “The Future of the Canadian Eskimo,” dated 15 May 1952 (NAC RG22, volume 254, file 40-8-1, volume 2 (1949–1952). The RCAP report continues, “The anonymous official goes on to ask what can be done about the problem of finding meaningful work for Inuit when few technicians or artisans are needed in the North. The solution, for the author, was to move the people south.”

⁴ Budgel, Richard (1992). The Beothuks and the Newfoundland Mind. *Newfoundland Studies* 8(1):15–33.

⁵ In 1953 and 1955, a total of ninety-two people from sixteen families were relocated by the federal government from Inukjuaq, Quebec, and Pond Inlet on Baffin Island to the High Arctic. The author’s family was among those relocated from Inukjuaq to Resolute Bay; he was five years old at the time. The Royal Commission on Aboriginal Peoples convened hearings on the relocation and, in 1994, it published a special report on the issue: *The High Arctic Relocation: A Report on the 1953–55 Relocation*. Ottawa, ON: Minister of Supply and Services Canada.

⁶ The Preamble to the Nunavut Land Claims Agreement (1993) states: “AND IN RECOGNITION of the contributions of Inuit to Canada’s history, identity and sovereignty in the Arctic.” Retrieved 2 November 2007 from: http://www.ainc-inac.gc.ca/pr/agr/nunavut/pre_e.html

⁷ Inuit Elders have testified that during the 1950s and 1960s their dogs were shot by RCMP and other non-Inuit officials. This took away their ability to live independently and provide for their families through hunting, and Inuit were not consulted or offered alternatives. The killing of sled dogs was one of many acts at the time that disempowered Inuit and reinforced government control over their day-to-day lives (see “Echo of the Last Howl,” a documentary video produced by Makivik Corporation in 2004). In response, the RCMP conducted an internal review and concluded that there was no organized slaughter (Royal Canadian Mounted Police (2006). Final Report: RCMP Review of Allegations Concerning Inuit Sled Dogs. Ottawa, ON: RCMP. Retrieved 18 September 2007 from: http://www.rcmp-grc.gc.ca/ccaps/reports/sled_dogs_final_e.pdf). Inuit organizations responded in a press release that disputed these findings and questioned the legitimacy of the RCMP investigating itself (Makivik Corporation and Qikiqtani Inuit Association, Joint Press Release, 5 December 2006, *RCMP self-investigation does not reveal the truth about the slaughter of Inuit sled dogs in the 1950s and 1960s*).

⁸ Royal Commission on Aboriginal Peoples (1994:162). *The High Arctic Relocation: A Report on the 1953–55 Relocation*. Ottawa, ON: Minister of Supply and Services Canada.

⁹ Royal Commission on Aboriginal Peoples (1994:163).

¹⁰ “By the year 1560, it is almost certain that Frobisher was an active privateer, and possibly also a pirate. Thereafter, all doubt vanishes.” McDermott, James (2001:49). *Martin Frobisher: Elizabethan Privateer*. New Haven, CT: Yale University Press.

¹¹ McDermott (2001:180–181).

¹² McFee, William (1928:72). *Sir Martin Frobisher*. London, UK: John Lane the Bodley Head Ltd.

¹³ Personal correspondence with Zebedee Nungak.



Inuit children who lived too far away and had to stay at school during the summer. Anglican Mission School

Aklavik, N.W.T., 1941

Photographer: M. Meikle

Library and Archives Canada, PA-101771

(This photo can also be found, along with many other resources, at www.wherearethechildren.ca)

STAN MCKAY

Stan McKay, a member of the Fisher River Cree Nation in Manitoba, is a spiritual leader, teacher, and activist. In 1971, he was ordained by the United Church, and between 1992 and 1994, he served as its first Aboriginal moderator. Stan is the recipient of numerous awards, including a National Aboriginal Achievement Award, and he has honorary doctorates conferred by the University of Waterloo, the University of Winnipeg, and United Theological College of McGill University. He was director of the Dr. Jessie Saulteaux Resource Centre in Beausejour, Manitoba, a theological school that respects both Christian and Aboriginal spiritual traditions. Along with fellow members of the National Native Council of the United Church, Stan successfully advocated for the Church's apology, issued in 1986, for its role in cultural oppression of First Nations peoples.

In his contribution to this collection, Stan reflects on the nature of conversations about reconciliation. He weaves personal memory and social history into a vision of what these conversations might look like and include. Moving from dialogue to action, Stan suggests that the current ecological crisis provides an opportunity for cooperative action by Aboriginal and non-Aboriginal people. He presents a world view that includes respect for the diversity found in the natural world alongside respect for human diversity.

Stan contends that there is a need for healing in Canadian society as a whole and not just among Aboriginal people. He advocates the telling of individual stories and respectful listening to the stories of others as a route to expand and transform the dialogue. Experiencing each others' stories is one way to build a shared understanding of history.

While the overall tone of the article is hopeful, it does not shy away from the challenges involved. The reconciliation dialogue is compromised by the dismal social and economic conditions found in many Aboriginal communities. Stan asks if it is right to put energy into reconciliation when infant mortality and suicide rates are so high. He concludes by circling back to the need for conversations and the corresponding need for action: "This conversation is about the present injustices and the possibilities for creative participation in shaping the future."

EXPANDING THE DIALOGUE ON TRUTH AND RECONCILIATION — IN A GOOD WAY

A friend died in hospital this last month as she awaited the common experience payment for her fifteen years in residential school. This article is dedicated to Peggy's memory.

REFLECTIONS ON RECONCILIATION

A theory of education suggests that most humans know all they need to learn by the time they are four years old. My experience as a parent, grandparent, and elementary school teacher supports this concept. Most children have language, cultural values, some social skills, and the capacity to dream before they enter their first classroom. If they have been nurtured by adults and have visited with Elders, they will also have grown to be trusting and generous.

Conversations about reconciliation and sharing of life experiences between five-year-old Aboriginal children and Canadian children would certainly be less complicated than attempting to engage their parents or grandparents in an open dialogue. We live in societies where mistrust, misinformation, and racism thrive.

My early life was on an isolated Cree reserve in Manitoba. The community was economically self-sufficient, with access to resources in the region. Our parents hunted, trapped, fished, and planted small gardens. Children were taught respect and sharing. The only non-Aboriginal people in the village were teachers, missionaries, and a local trader. We were taught, by example, to respect the people who were different, and we understood that we could share life with them.

It is not surprising that I have lived much of my adult life working to develop right relations between peoples. I believe that justice and peace are the basis for right relations. There is much to be gained from conversations about reconciliation, and I support the initiative.

Learning from Elders about caring and sharing has made me aware that the conversations about reconciliation are not only about relationships between Aboriginal peoples and Canadian society, but are also about our relationship to the earth, our Mother. As I draft this article, I am listening to a CBC radio program on the ecological crisis we are experiencing. One of the scientists is commenting on the challenge of encouraging individuals to change and the

*The Elders lead their lives
with humility and integrity,
and these values need to be
paramount in the truth and
reconciliation process.*

*David Turner
AHF Board member
Salteaux and African-American
Calgary, Alberta*

Reconciliation becomes a task that has significance for this generation, but it is primarily about those who are yet unborn.

difficulty of convincing people that they can make a difference. People have arrived at a place where they believe the only option is to extract as much wealth as possible while it is available—a quest for security.

Our relationship with each other as humans is now an issue for discussion in the context of the earth and its capacity to support life. One Aboriginal perspective would be to talk about “all our relations,” a formula that concludes Anishinaabe prayers, affirming our connectedness with all peoples, living beings, and the earth itself. Is it possible to speak about reconciliation without the conversation including discussion of the health of the whole creation?

The book *Nation To Nation: Aboriginal Sovereignty and the Future of Canada* is about relationships in this land. In a chapter titled “Growing Together From the Earth” Gary Potts addresses the need to share life as people on this earth.

When you walk in a forest you see many forms of life, all living together. They each have their own integrity and the capability to be different and proud. I believe there is a future for native and non-native people to work together because of the fundamental fact that we share the same future with the land we live on.¹

The strength of Gary’s statement is contained in the suggestion that the natural world teaches lessons about life shared, while diversity and dignity are honoured. I also appreciate that he points us in the direction of acceptance of our shared future. Reconciliation becomes a task that has significance for this generation, but it is primarily about those who are yet unborn. The conversation about reconciliation is not optional, and it could be central to the agenda of the United Nations if we acknowledged global realities.

Art Solomon, an Anishinaabe Elder and teacher, places the challenge before us in his writing and teaching about our significant differences, as demonstrated by our philosophies of life.

There are two different philosophies which have always been the fundamental difference between the people of the land, and the strangers who came here from Europe. One is a philosophy based on the concept of materialism: ownership of land and possession of things . . . The philosophy of the original people was based on the timelessness and the harmony and the power of the Creation and humanity’s place and purpose in it.²

The conversations about reconciliation are therefore about perspectives on the meaning of life. Art describes our understanding as Aboriginal peoples. We humbly find our place in the natural order, and we take on a role as keepers of the earth, our Mother. My father lived as a hunter, trapper, and fisherman and taught, by example, that we could control our greed and learn to only take what we need.

The root of the word reconciliation is conciliate. The Oxford Dictionary has three definitions for conciliate. The first is to “make calm and amenable.” The second definition is to “pacify,” and the third is to “gain the good will of.”³ I may be misunderstanding the full meaning of the intent for reconciliation between Aboriginal people and Canadian society, but these definitions communicate a process of manipulation and potential exploitation. Colonization and treaty-making in Canada are about conciliation. There must be more to this conversation than a repetition of our historical experiences.

In my research, I went to the Harper Collins Bible Dictionary. In this resource, reconciliation is defined as “a term indicating the changed relationship for the better between persons or groups who formerly were at enmity with each other.”⁴ The further explanation of the meaning of reconciliation is that it is an initiative of the Great Spirit, and the goal is our reconciliation with the Creator.

Art Solomon shared many concepts that are directly related to reconciliation. My meetings with Art were significant opportunities to learn about truth, respect, and love. He would say we are all given “original instructions” at our birth. These can guide us to a life with balance. The teaching about original instructions connects to the earlier reference to young children who often demonstrate a capacity to accept people who are different. If we as adults remembered our original instructions, reconciliation would be possible and not complicated by learned prejudice and racism.

Art had a deep passion for justice and made many trips to visit Aboriginal prisoners in Kingston, Ontario. I met with him as he was returning from one of his visits to the Kingston Prison for Women. As he spoke about the demonic nature of that place and the way Aboriginal women were treated there, I could see the frustration and anger in his eyes. The next day he would continue his work with people in society. Art maintained a commitment to healing with the hope for reconciliation.

Art Solomon shared what I understand to be an Anishinaabe prophecy. I understand this prophetic teaching as a mystical definition of reconciliation.

As I remember it, Art said, “When the four winds blow, the people will come together. The people will be healed and the earth will be healed.”⁵

This prophetic vision describes the role of the Creator, mystically bringing diverse peoples together with the energy of the sacred winds. The great ingathering will result in healing for the people and the earth. The inclusive vision in this prophecy involves the whole created order. Our conversations about reconciliation can include care for the creation. It is also a teaching about reconciliation being tripartite involving the Creator, diverse peoples, and the whole of creation. The teaching suggests that a time will come when this reconciliation can occur, and we will thus be able to discern our part in healing.

If we are to come to the reconciliation discussion in a good way, we in the Aboriginal communities have significant preparation before us. We are in a fragmented state with many political divisions, nationally and regionally. There is a need for gatherings to be convened by our leaders so that reconciliation between the many sectors of the Aboriginal community can occur. The Aboriginal healing circle could include the Inuit, Métis, and all First Nations both non-status and status. This may be the first task for us as we approach the reconciliation process. Attempts to raise awareness of the need for reconciliation with Canadian society would be enhanced if we modelled cooperation and respect among the diverse cultures that compose the Aboriginal peoples of Canada.

The national political leaders of the various Aboriginal groups could be invited to share in a conference that would model right relations and respect. The gathering would put aside divisive matters in order to address our shared captivity on the margins of Canadian society. Collaborative action could create a significant impact on the institutions in Canada.

EXPANDING THE DIALOGUE

Acknowledging the context in which we live sets a framework for establishing initial rules for undertaking reconciliation. One guiding principle that I mentioned earlier is that reconciliation implies our relationship to the environment as well as the relationship between peoples. The urgent need for all of us to care for the earth would give us a common base from which we could converse. Reconciliation is more than people getting along.

A second principle would be to acknowledge the history of colonization and the continued marginalization of Aboriginal peoples by Canadian society.

Addressing historic and current oppression could demand extensive energy, but we are aided by the contents of the Royal Commission on Aboriginal Peoples (RCAP) report. There are summary statements related to education, justice, social services, health, economics, and environment. Even more important, there are recommendations at the end of each of the chapters suggesting responses and actions for rectifying the existing situation. The reconciliation conversation should engage the resource that is RCAP, in ways that have not been imagined. It could be approached as a document that would enable all of us to undertake responsibility for transforming our present relationships.

A third principle would involve a change in perspective about the way in which Aboriginal peoples would be engaged with Canadian society in the quest for reconciliation. It would assist our process if we considered how the Aboriginal Healing Foundation (AHF) was named and how it may perpetuate the paternalistic concept that only Aboriginal peoples are in need of healing. I submit that healing is also about the transformation in Canadian society. The perpetrators are wounded and marked by history in ways that are different from the victims, but both groups require healing. After five years in a residential school, I have acknowledged my need for healing. Some churches have apologized for residential school involvement, but many church members continue to defend their actions in their historic mission work with Aboriginal peoples. Governments have not apologized for residential schools, and they continue to employ many lawyers who delay the settlement of claims for abuse at government-funded schools. How can a conversation about reconciliation take place if all involved do not adopt an attitude of humility and respect?

Divisions within the Canadian society also pose a challenge. The churches and religious organizations are divided. Canadian society is divided along political lines, which makes communication complex and frustrating. If the Aboriginal political network would collaborate, could we not request Canadian politicians and the churches to do the same?

The potential for new ways of relating to each other is most likely to be experienced in a sharing circle. Within this circle, the role of the listener is to recognize and accept differences. Verbalization gives the speaker a place in the community to speak his or her truth. Others, who sit in participatory silence, gain an understanding of themselves as they hear the stories of fear, strength, and hope. Charles Villa-Vicentio writes about James Cone, a Black-American theologian, who suggests that “it is perhaps only by sharing our stories ... that we can hope to transcend the boundaries of our past and reach toward a shared future.”⁶ We all have stories to tell and in order to grow in tolerance and understanding we must listen to the stories of others.

The perpetrators are wounded and marked by history in ways that are different from the victims, but both groups require healing.

The respectful act of circle sharing enables us to recognize and transcend our differences. Circle gatherings provide a process for discovering the points of convergence of our visions for the future and our shared humanity. The occasions of consensus could lead to changes in the schools our children attend. The curriculum may be enriched because we come to a place of agreeing that Aboriginal history, wisdom, and culture will have a place in all schools in Canada, and that all students will experience each other's stories. This process is rarely offered in educational programs in Canada, and Aboriginal schools are often tied so closely to a provincial curriculum that there is no room for Aboriginal content.

The use of stories is a natural way to enable community-building, and this is about reconciliation. H. Richard Niebuhr writes:

where common memory is lacking, where men [sic] do not share in the same past there can be no real community, and where community is to be formed common memory must be created. . . . The measure of our distance from each other in . . . our groups can be taken by noting the divergence, the separateness and the lack of sympathy in our social memories. Conversely, the measure of our unity is the extent of our common memory.⁷

This quotation also implies the sharing of truths. We strive to understand each other's truth by being attentive to the stories and, in turn, we trust that our story will be respectfully received. In the truth and reconciliation conversation we are invited to avoid aggressive and adversarial behaviour as we share in a common task.

PROSPECTS AND CHALLENGES FOR RECONCILIATION

The Elders have taught that in the circle that is our life journey, we begin as infants living in total dependence on those around us. Our family provides warmth, safety, and food—our very survival depending on the loving care that maintains our life.

The second stage of our development as children and youth is a powerful drive for independence. Identity is linked to self-determination and a desire for self-sufficiency. It is a concept in modern society that is developed into statements about individual rights. The rights of individuals are enshrined in the American Constitution, and they are also central to many of the United Nations' declarations about human rights.

Our circle of life teachings point to a third level of development, which is interdependence. This life phase encompasses the work of adults who take responsibility for the care of the whole community. Interdependence is the basis for tribal community strength. It is guided by the wisdom of the Elders in the struggle for balance between independence, which is about individual rights and interdependence, which is about communal rights.

The effect of reserve life over the past fifty years has created havoc for our development as Aboriginal communities. The limited land base, along with the decline of opportunities to hunt and fish, has meant insufficient food supplies in isolated communities. The Canadian government responded to the situation by introducing social assistance and a new concept called “unemployment.” All of this is about creating a state of dependency and social disintegration. Canadian society speaks with pride about a social safety net that cares for the poor. There has been very little discussion about a history of injustice that created poverty or the fact that welfare is a simple method of maintaining people in poverty in order to preserve the status quo.

Canadian and global developments are increasingly about individual rights. The education and training of our youth is often about economic success, which is about aggressive individual accumulation of wealth. A common expression in Canadian society is, “They have made it!” Many Aboriginal people get drawn into meeting societal expectations wherein individual wealth determines the value of a person. This is an issue that will challenge the conversations about reconciliation. We remain the poorest of Canadians, and some of us carry the teachings of sharing and caring in the midst of our economic marginalization. Is it feasible for us to engage in conversations about reconciliation with a society that promotes aggressive, adversarial behaviour to promote individual wealth?

Three years ago I was invited to the Qu’Appelle Valley in Saskatchewan. There was a gathering to discuss the meaning of treaty, and I learned many new perspectives about what it meant for me to be a treaty Indian in Canada. The primary contributor was the Elder from Treaty Number 4 who worked out of the Fort Qu’Appelle office. The stories about the negotiations and eventual signing of Treaty Number 4 were enlightening.

As I remember it, this is what I was told. The treaty party, representing the British Crown, arrived in Fort Qu’Appelle and invited the leaders from Aboriginal nations to gather for talks. A few Aboriginal people came, talked briefly, and then left for a few days. The treaty party was rather impatient with the delay, but later many of the Aboriginal leaders returned to continue the meeting. One of their first discussions was about the involvement of their

Our hereditary chiefs tell us that the treaty process was forward looking. The treaties established a relationship between First Nations and Canada that could have worked, but the treaties have not been honoured.

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... people from the churches who were part of the gathering described the treaty-making process as creating a covenant.

cousins in the treaty-making process. But these were people defined by the government representatives as Métis, and they were excluded despite protests from the Aboriginal leaders.

The story about the delay in the gathering was that the Aboriginal leaders had gone for a few days of ceremony and prayer before beginning serious discussions. The treaty talks were about sharing the sacred land, and that required prayerful preparation. The treaty negotiations were understood to be tripartite. The talks involved the Creator, the Queen's representatives, and the Aboriginal peoples.

I can remember hearing as a young child about "the spirit of the treaty." While I did not know entirely what that was about, I did know that legalistic interpretations were very inadequate, and it was about more than the payment of five dollars annually. In the conversations following our learning about the Treaty Number 4 negotiations, people from the churches who were part of the gathering described the treaty-making process as creating a covenant.

I have studied three definitions of covenant:

1. A formal agreement or treaty between two parties with each assuming some obligation.
2. An agreement imposed by a greater power on a lesser one, including a demand for loyalty and an obligation to protect on the part of the more powerful.
3. An agreement between God and the people, such as the Sinai Covenant with the people of Israel following their escape from captivity in Egypt. The covenant identifies God and his saving acts. Ceremony includes the recitation of the treaty followed by a feast, and a copy of the treaty is placed in a container to remind everyone that breaking it is a crime against God.⁸

The Canadian experience of treaty-making includes aspects of the first three definitions. It is the second definition—an agreement imposed by a greater power on a lesser one with associated loyalties and obligations—that was most likely in the minds of the Queen's representatives who wrote and signed the treaties. Canadian history texts also support the notion of an imposition of the treaties on Aboriginal peoples. I have read letters to the editor that take offense at any suggestion about Aboriginal rights being enshrined in the treaties and that state: "Get over it! You lost!"

It is clear that in Western Canada the numbered treaties were quickly negotiated in order to open the territories for orderly settlement. There were different

understandings of what treaty-making was about one hundred and fifty years ago. I have described the Fort Qu'Appelle stories around Treaty Number 4 and the Aboriginal understanding of this being a sacred tripartite agreement. This difference can be understood as contrary to the understandings of Indian Superintendent Provencher who wrote in 1873:

Treaties may be made with them simply with a view to the extinction of their rights, by agreeing to pay them a sum, and afterwards abandon them to themselves. On the other side, they may be instructed, civilized and led to a mode of life more in conformity with the new position of this country, and accordingly make them good, industrious and useful citizens.⁹

The options being considered by the colonizing government were apartheid or cultural genocide. Maintaining small reserves with control over the movement of residents is clearly apartheid. Aboriginal people would be separated from Canadian society with a government bureaucracy to control every aspect of the lives of the "Indians." This included the forbiddance of gathering for ceremonies and the requirement for "passes" to travel for employment or to visit off reserve. There was no clear determination as to whether the transformation proposed in the second option was feasible. Governments have wavered about how to civilize Aboriginal peoples. The arrangement for the churches to manage government-owned residential schools was a central part of option two. The churches saw this to be an excellent opportunity for reshaping the lives of children in captivity, away from the influence of their culture and community.

The residential school experience was for me an incarceration that limited my development as an independent and interdependent person. While in the residence, I was told what to wear, what to eat, and how to stand. I was given an identification number. In the classroom I was taught English and French. I was expected to memorize dates from British history texts. Leaving the residential school was traumatic because after years of being instructed I had very little confidence in my ability to make decisions. I had been made compliant and, in many ways, I was dependent like a young child. Back on the reserves, welfare was creating dependent communities without options. Students were leaving residential schools with low self-esteem and few prospects for successful reintegration into our communities, and the communities themselves were disintegrating because of poverty and loss of dignity.

The empirical evidence indicates that the closure of residential schools and the ending of the restrictions of our movement from reserves have not ended our dependence on colonial structures. Our substandard housing without adequate

access to safe water drives large numbers of our relations to similar situations in urban ghettos. We have a high percentage of our population under the age of twenty-four, and the success rate for graduation from secondary schools is dismal. We are overrepresented in youth detention centres and prisons. Over forty per cent of our Aboriginal population living in urban areas have a low income, more than double the rate for non-Aboriginal people,¹⁰ and unemployment is rampant. Outstanding land claims continue to be delayed by complex bureaucracy. We witness self-destructive behaviour among the adults and youth, and young children attend schools where dreams are broken.

After all is said and done, I wonder if we have any rational justification for entering conversations with the Canadian society about reconciliation. Oh, I want the conversations to begin, but does the present context suggest that the talk would achieve the radical changes that support healing in the whole society? Can we give our energy to conversations about reconciliation while infant mortality in Aboriginal communities is three times the Canadian rate and while our youth suicide rate is six times higher than anywhere else in Canada?¹¹

Forty years after the closure of residential schools, our struggle to create a community that is healing and hopeful about the future is very challenging. Realities suggest that we must strategize so that our engagement will be with segments of Canadian society where there is assurance that we can accomplish transformation.

SETTING AN AGENDA FOR RECONCILIATION

The request from the Aboriginal Healing Foundation to write about reconciliation included the stipulation that articles should not be “how to” manuals, but I wonder what implications the continuing struggles of Aboriginal peoples have for the agenda? I humbly invite those who lead us into conversations to consider the following priorities and examine the institutional impediments that maintain the status quo:

- a) Education: preschool to post-graduate;
- b) Health: support for healthy living for the body, mind, and spirit including addressing addictions and moving from a colonial model of health care to one of Aboriginal control;
- c) Social services: preventative service that function primarily as healing initiatives for families and communities rather than intervention and support;

- d) Economy: sustainable resources and sustainable communities, including dismantling the concept of unemployment and ensuring a role for everyone;
- e) Governance: examining and considering alternatives to the existing colonial models for reserve governance; and
- f) Justice systems: peace-keeping and restitution as the road to healing as well as a quick resolution of outstanding land claims and shared resource management.

How can we operate creatively within existing structures? Restrictive rules and regulations hinder healing initiatives; the healing is often about liberation from historical captivity. Prescriptive impositions limit community response and may deny the vision for the future collaborative action that moves us toward reconciliation. The wisdom gathered by the Aboriginal Healing Foundation in its ten years of existence could be instructive in moving from Aboriginal healing to reconciliation of peoples. My personal agenda includes revisiting historic treaties to create discussion around our shared history and our common future. I grew up on the reserve knowing I was a treaty Indian. My identity was connected to a record of my number in Ottawa. I have recently come to understand the meaning of a tripartite agreement, and even if the presence of the Creator in treaty-making is not accepted, Canadian society is certainly a party to the treaty. We are all treaty people. We are committed to sharing life on this land, and all Canadians are participants in the benefits and responsibilities of maintaining the treaty. Treaty language promises that the agreements are for “as long as the sun shines, the grass grows and the rivers flow.” Treaties do not have a “best before date,” but they do need to be revisited so that the *spirit* may be kept alive in each generation. In the language of Christian tradition, it might be beneficial for the churches to sponsor discussions about what a new covenant looks like.

We are in need of involvement at the level of non-government organizations, with community animation projects and experiments in popular education. With an initiative that is about engendering justice and establishing right relations, the energy of youth could bring the process of healing to the communities. Less emphasis on a managed strategy is a suggestion for two reasons. First, the established education centres are generally so caught up in their existing curricula and approach to learning that they avoid community involvement. The advancement of individual learning has become the idolatry of education programs, and community development or healing is determined not to be worthy of mention in provincial curricula. Secondly, national programs for Aboriginal peoples and Canadian society must be flexible and relevant to diverse realities and experiences. The process which assists in the

We are all treaty people. We are committed to sharing life on this land, and all Canadians are participants in the benefits and responsibilities of maintaining the treaty.

healing of body, mind, and spirit will require many creative approaches that are relevant to the diverse peoples in Canadian society. The involvement with us in Aboriginal nations is also complicated by our many cultures.

If the time is right for conversations about reconciliation, it might be an opportunity to hold a major event in Nunavut. The context there is about a move toward self-governance, and the population is focused on the vision of Aboriginal peoples. Another context for interesting dialogue would be territories in British Columbia where formal treaties have not yet been signed. In addition, the National Aboriginal Achievement Foundation could be consulted for its wisdom about fair representation of Aboriginal peoples from all territories and nations. The Foundation has established ways to interact with diverse groups of Aboriginal peoples across the land.

The Liberal Government of Canada was preparing *The White Paper* in 1968 when Prime Minister Trudeau said to Native leaders at a gathering in Ottawa,

What can we do to redeem the past? I can only say as President Kennedy said when he was asked about ... [the treatment of African Americans] “We will be just in our time. This is all we can do, we will be just today.”¹²

My response is that in order to be just today, we need knowledge of our shared history and of the legacy of injustice that continues to impair the healing of Aboriginal peoples.

Trudeau spoke to Native leaders again in 1973, saying, “Well, it looks like you’ve got more rights than I thought.”¹³ It was a surprising declaration. This may have been a moment when it would have been possible to begin conversations that address matters raised in this article. Thirty-five years later, with the convening of the Truth and Reconciliation Commission, we have another opportunity to initiate meaningful conversations about reconciliation. We are motivated by the impact of residential schools on Canada. We can revisit the historic attitudes that shaped and continue to impact our societies. It is not about revising history. This conversation is about the present injustices and the possibilities for creative participation in shaping the future.

May the dialogue take place in the spirit of hope and with a courageous commitment to the justice and right relations that Art Solomon and many Elders have modelled with such integrity for generations yet unborn.

NOTES

¹ Bird, John, Lorraine Land, and Murray MacAdam (eds.) (2002:199). *Nation to Nation: Aboriginal Sovereignty and the Future of Canada*. Toronto, ON: Irwin Publishing Inc.

² Solomon, Arthur (1990:80). *Songs for the People: Teachings on the Natural Way: Poems and Essays of Arthur Solomon*. Compiled/edited by Michael Posluns. Toronto, ON: NC Press Limited.

³ Oxford Dictionary, Revised Edition (1996).

⁴ HarperCollins Bible Dictionary (1996).

⁵ Conversation with Arthur Solomon, Sudbury, Ontario, 1986.

⁶ Villa-Vicentio, Charles (1997:31). *Telling One Another Stories*. In Gregory Baum and Harold Wells (eds.), *The Reconciliation of Peoples: Challenges to the Churches*. Maryknoll, NY: Orbis Books.

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⁸ Adapted from Harper Collins Bible Dictionary (1996).

⁹ Cited in Stanley, George F.G. (1961:216). *The Birth of Western Canada*. Toronto, ON: University of Toronto Press.

¹⁰ Heisz, Andrew and Logan McLeod (2004). *Low-income in Census Metropolitan Areas, 1980-2000*. Ottawa, ON: Minister of Industry. Retrieved 15 January 2008 from: <http://www.statcan.ca/english/research/89-613-MIE/2004001/89-613-MIE2004001.pdf>

¹¹ Health Canada (2002). *Federal strategy on early childhood development for First Nations and other aboriginal children* (retrieved 15 January 2008 from: http://www.hc-sc.gc.ca/ahc-asc/media/nr-cp/2002/2002_72bk1_e.html); Lemchuck-Favel, L. (1996). *Trends in First Nations Mortality 1979–1993*. Ottawa, ON: Health Canada.

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¹³ Cited in Krotz (1990:158).

SECTION 2
THE LEGACY LIVES ON



Photo: Courtesy of Janice Longboat

BEVERLEY JACOBS AND ANDREA J. WILLIAMS

Beverly Jacobs is the president of the Native Women's Association of Canada (NWAC). She is a Mohawk citizen of the Haudenosaunee Confederacy and a member of the Bear Clan. A lawyer by trade, Beverly also holds a Master's Degree in Law from the University of Saskatchewan. She has taught at several institutions including the University of Windsor, University of Toronto, University of Saskatchewan, and Ryerson University and practised law at Six Nations of the Grand River Territory in southern Ontario.

Beverly worked with Amnesty International as the lead researcher and consultant for their *Stolen Sisters* report on missing and murdered Aboriginal women in Canada. Since her election to the NWAC presidency in 2004, she has secured funding for *Sisters in Spirit*, a research, education, and policy initiative aimed at raising public awareness about Canada's missing and murdered Aboriginal women. In this role, she has travelled to countless communities to raise awareness, rally citizens, and inspire young Aboriginal women.

Andrea J. Williams, a member of Sandy Lake First Nation, has more than twenty years experience working with Aboriginal communities in Ontario. She has also worked with government departments and Aboriginal organizations on issues ranging from public health planning and health research to human rights, community development, and governance. Her experience delivering programs to Aboriginal communities and negotiating self-government is recognized internationally, and she is working with community groups, the government, and academics in Ireland to facilitate government engagement of marginalized groups.

Beverly and Andrea have been interviewing the families of missing and murdered Aboriginal women as part of NWAC's *Sisters in Spirit* initiative. Their contribution to this collection reveals how the legacy of colonization, including the residential school system, is gendered in the way it impacts Aboriginal women. The continued marginalization of Aboriginal women and their displacement from communities result in "a series of negative outcomes, including overexposure to violence and abuse, poverty, inadequate housing, homelessness, addictions, and poor health." Historical and contemporary realities are presented as a backdrop to understanding some of the challenges in the lives of Aboriginal women today, including the lives of the Aboriginal women who have been murdered or gone missing. The authors urge the Truth and Reconciliation Commission to consider the special needs of Aboriginal women and how to effectively engage them in the process.

LEGACY OF RESIDENTIAL SCHOOLS: MISSING AND MURDERED ABORIGINAL WOMEN

The legacy of the residential school system has had a profoundly negative impact on Aboriginal people that will be experienced for generations to come. It is indisputable that Aboriginal peoples have suffered as a result of the residential school system imposed to eradicate their cultures and rights. This paper seeks to share the harsh reality that the current vulnerability of Aboriginal women and youth is linked directly to the impacts of colonization, including the residential school system and the social environment that created it. One of the outcomes of this history is that many Aboriginal women today continue to be challenged by fundamental issues of safety and survival. This paper begins with an overview of the historical, social, and economic factors that have contributed to increased risk to the safety and security of Aboriginal women. It presents preliminary findings of the *Sisters in Spirit* initiative research and the approach undertaken by the Native Women's Association of Canada (NWAC) in its work with grieving families. The paper concludes with suggestions about how this information might inform the Truth and Reconciliation Commission process.

OVERVIEW OF THE HISTORICAL, SOCIAL, AND ECONOMIC ENVIRONMENT: INCREASED RISK FOR ABORIGINAL WOMEN

Since the introduction of colonial policies, Aboriginal women have endured countless attacks on their culture, their way of life, and their persons. As a result, their traditional roles have been undermined in that they “have had to deal with dispossession of their traditional territories, disassociation with their traditional roles and responsibilities, disassociation with participation in political and social decisions in their communities ... disorientation of culture and tradition,”¹ and a total disrespect of their roles within their communities. This paper argues that the historic notions underlying these genocidal policies have a direct link to the disappearance and murder of hundreds of Aboriginal women in Canada.

COLONIZATION AND THE *INDIAN ACT*

Governmental control over the lives of Aboriginal people in Canada began in the 1850s with a series of laws and regulations “intended to enforce the patriarchy and coerce Aboriginal women to conform to the regiments and edicts demanded by local missionaries and Indian agents in present-day eastern

Canada.”² This process began before Confederation with legislation in Lower Canada that, for the first time, set out a definition of who was to be considered an “Indian.”³ While initially inclusive of men and women, along with their marriage partners and children, the legislation was quickly amended to exclude non-Indian men who married Indian women but *not* non-Indian women who married Indian men. The *Report of the Royal Commission on Aboriginal Peoples* (RCAP) noted: “For the first time, Indian status began to be associated with the male line of descent.”⁴ The 1857 *Gradual Civilization Act* furthered the distinction between the standing of men and women by providing a route for Indian men, but not women, to renounce their status “in order to join non-Aboriginal colonial society.”⁵ The legal means, referred to as “enfranchisement,” to voluntarily give up Indian status was granted only to men who met a specific set of criteria: for example, over the age of 21; able to read and write English or French; educated; free of debt; and of good moral character.⁶ The wives and children of enfranchised men automatically lost their status.

With confederation and the 1867 *British North America Act*, the federal government, under section 91(24), gained the exclusive jurisdiction to legislate with respect to “Indians and Lands reserved for the Indians.” Two years later, in 1869, the government passed *An Act for the Gradual Enfranchisement of Indians*, which contained a number of features designed to hasten assimilation of Aboriginal people. This *Act*, in particular, would have drastic and lasting negative impacts on Aboriginal women. The RCAP report commented on some of the implications for women:

This act went further than previous legislation in its ‘civilizing’ and assimilative purposes and in marginalizing Indian women: for the first time, Indian women were accorded fewer legal rights than Indian men in their home communities.⁷

Discrimination against women introduced in earlier legislation was entrenched in the 1876 *Indian Act*, which defined an Indian as “Any male person of Indian blood reputed to belong to a particular band.”⁸ The wife and children of an Indian man also had Indian status. In an article entitled “Colonialism and First Nations Women in Canada,” Winona Stevenson writes about the impact of the *Indian Act* on women: “From then on, the process of statutory female subjugation was intensified as regulations were passed which discriminately undermined the traditional roles, authority, and autonomy of Aboriginal women. Almost every aspect of women’s lives was directly impacted by the *Indian Act*.”⁹

Indian status was thereby defined solely on the basis of the male head of the household. A First Nation woman married to a man who was not a status Indian was struck from the registry and was no longer allowed to be an Indian. If she married a man from another First Nation community, she was automatically registered under his band and lost all rights to her own First Nation. The RCAP *Report* pointed out that at the time of contact “the position and role of women varied among the diverse nations ... What was observed by European settlers was the power Aboriginal women enjoyed in the areas of family life and marriage, politics and decision making, and the ceremonial life of their people.”¹⁰ In many nations, a person’s identity traditionally followed his or her mother’s line (i.e., matrilineal descent). Stevenson describes the widespread effects of enforcing rules of patrilineal descent:

The immediate and long-term effect of this provision was to reduce the number of status Indians the government was responsible for, impose the European patrilineage system, and elevate the power and authority of men at the expense of women ... The result was a major disruption of traditional kinship systems, matrilineal descent patterns, and matrilocal, post-marital residency patterns. Furthermore, it embodied and imposed the principle that Indian women and their children, like European women and their children, would be subject to their fathers and husbands.¹¹

There are many other provisions of the *Indian Act* that reduced the strength of Aboriginal women and matriarchal systems. The enfranchisement provisions mentioned above had originally allowed status Indians to voluntarily sell their status. Then, the federal government amended the policy to allow for involuntary enfranchisement, which meant that status was lost through such activities as volunteering to fight in either of the World Wars, attending university, becoming a doctor or lawyer, or joining the clergy. As noted by Stevenson, women were increasingly losing control over legal dimensions of their Indian identity:

Women’s legal status as First Nation citizens could be unilaterally and irrevocably stolen by federal legislation that allowed their fathers or husbands to make decisions on their behalf. This regulation was a major affront to women’s autonomy — women had no recourse if their fathers or husbands ‘sold’ them out of status. It also seriously undermined the matrilineal descent rule of many tribes by giving men authority to decide whether or not their families would retain First Nation membership. The voluntary enfranchisement provisions remained in effect until 1985.¹²

RCAP noted that the “*Indian Act* has created a legal fiction as to cultural identity.”¹³ Other patriarchal notions embedded in the *Act* were provisions whereby First Nations women lost their treaty annuities if they divorced, and widows only had access to their husband’s property under specific circumstances, including a determination that they were “of good moral character.”¹⁴ Also, the children of women who were not married were considered “illegitimate” and were not entitled to status “in their mothers’ First Nation unless the Chief and Council accepted them and agreed to give them equal share in Band revenues.”¹⁵ However, even if accepted by the community, the superintendent general of Indian Affairs had absolute power to accept or refuse membership to illegitimate children and, as Stevenson notes, this clearly “demonstrates the government’s assimilationist agenda as well as its intent to impose Victorian moral standards on First Nations women.”¹⁶

BILL C-31: DISPLACEMENT CONTINUES

When the 1982 *Constitution Act* came into effect, the federal government had five years to amend all legislation that violated any provisions of the *Canadian Charter of Rights and Freedoms*; the *Indian Act* was one of those pieces of legislation. The old marriage provisions in section 12(1)(b) of the *Act* violated the equality provisions under section 15 of the *Charter*. In 1985, the federal government passed Bill C-31 and thereby amended the *Indian Act* in order to bring it in line with the *Canadian Charter of Rights and Freedoms*.

Bill C-31 abolished the concept of enfranchisement. It was no longer possible to enfranchise and sell Indian status or to lose status through marriage. Bill C-31 called for the reinstatement of status to people who had lost their status plus one generation. It gave bands the right to set up their own membership codes, although they had to be approved by the minister of Indian Affairs. Bands had until mid-1987 to set up their codes; otherwise, they had to accept anyone entitled to status and having a historical tie to the community. Many leaders and people in the community were upset because they had not been adequately consulted and were worried about the implications in light of inadequate land bases, inadequate resources, and a lack of housing.

Bill C-31 introduced new registry provisions that replaced the old section 12(1)(b) of the *Indian Act*. It did not, however, end the discrimination. For example, children of reinstated women who had married non-status men fall under the new section 6(2) category, and they can only pass status to their own children if the father also has status; on the other hand, the children of Indian men who married out are registered under section 6(1) and can pass down their status regardless of the status of the child’s mother. The new provisions

have also been critiqued for problems with the registration process, including rigidity surrounding the registration of children when the father's name has not been reported or his signature is missing from the registration form. In some cases, unstated paternity has also affected a child's eligibility for membership in a First Nation.¹⁷

In cases where the father is unreported or not recognized as an Indian and the mother is registered under section 6(1), the child would be registered under section 6(2). Where a child's mother is registered under section 6(2) and the father is unreported or not recognized, the child is not entitled to be registered at all. A paper on unstated paternity prepared for Indian and Northern Affairs Canada states: "Under the current rules, failure to report a registered Indian father results in either inappropriate registration of the child (i.e. under section 6(2) as opposed to 6(1)), or denial of registration and loss of associated entitlements, benefits and privileges."¹⁸ Moreover, the report states: "Although direct measures of unstated paternity can not be developed for children born to women registered under Section 6(2), indirect estimates for the 1985-1999 period, suggest that as many as 13,000 of these children may have unstated fathers and do not qualify for Indian registration."¹⁹

If the mother does not provide the name of the father for registration purposes, it is then assumed that the father is non-Native. There may be many reasons why the mother might not identify the father, including if the pregnancy is the result of abuse, incest, or rape.²⁰ Other reasons include:

- if the mother does not wish the father to be named;
- if the mother was living through an abusive relationship with the father, and it is no longer safe for her and her children to be near the father; or
- if the father is not able to provide the authorization due to difficulties encountered with the registration process (e.g., fathers in remote areas may not have access to the paperwork if the mother gives birth outside of her community²¹) or does not wish to take responsibility for the child.

Unstated paternity appears to be more common among young mothers, as Clatworthy notes: "Previous research has also identified that unstated paternity is highly correlated with the age of mothers at the time of birth ... During the 1985 to 1999 period, about 30 percent of all children with unstated fathers were born to mothers under 20 years of age."²² Within this group of teenage mothers, the estimated prevalence of unstated paternity among children of mothers under fifteen years of age was 46.6 per cent.²³

Bill C-31's original purpose was to eliminate gender discrimination; however, it now has created further discrimination against future generations. Geographical dislocation and loss of connection to community in the past, continuing in the present, have been especially devastating as generations of women were forced from their home communities due to out-marriage. Connections to family, culture, and community were further eroded by negative impacts of the residential school system.

RESIDENTIAL SCHOOLS: AN ONGOING LEGACY

Broadly speaking, the residential school system attempted to eradicate the culture of generations of Aboriginal people, a practice identified in the *United Nations Declaration on the Rights of Indigenous Peoples* as cultural genocide.²⁴ Other articles in this publication address the personal, cultural, and social impacts of the federal government's oppressive policy of assimilation, including the residential school system. This paper looks specifically at the consequences for women.

The detrimental effects of abuse in residential schools were compounded by a long series of losses experienced by students as a result of being removed from their families and communities: loss of culture, language, traditional values, family bonding, life skills, parenting skills, self-respect, and, for many, respect for others. Residential school attendance, particularly when accompanied by physical and sexual abuse, has been linked to problems of alcoholism, drug abuse, powerlessness, dependency, low self-esteem, suicide, prostitution, gambling, homelessness, sexual abuse, violence, and, as this paper argues, missing and murdered women. Some Survivors and/or their descendants have been in conflict with the legal system, including the criminal justice system and the child welfare system.²⁵

It should be noted that, beginning in 1920, it was illegal for parents to keep their children out of residential schools, and most parents were totally unaware that their children were at risk of physical, mental, emotional, spiritual, sexual, cultural, and verbal abuse while attending these institutions. In other words, parents did not have the power to protect their children from the residential schools or from the abusive treatment many students experienced in the schools. In addition, the removal of children from their families altered relationships between everyone and everything. Family bonds normally created as a result of nurturing and loving relationships were not a part of the residential school experience.

On September 13, 2007 the United Nations General Assembly adopted the *Declaration on the Rights of Indigenous Peoples*, 143 in favour, 11 abstentions, and 4 opposed. The countries who voted against the declaration are Canada, the United States, Australia, and New Zealand.

The loss of language affected the ability of children to communicate with parents and grandparents, and it reduced their access to cultural and spiritual teachings. Aboriginal women whose children and grandchildren attended residential schools were deprived of their traditional roles as mothers, grandmothers, caregivers, nurturers, teachers, and family decision-makers. These roles were similarly stolen from the generations of girls who were unable to learn through observation and interaction with their own mothers and grandmothers. The emotional bond between mothers and children was loosened. This disconnection was compounded for women who lost their Indian status and were no longer allowed to live among their people on traditional territories.

The residential school system also detrimentally impacted the traditional and experiential education of Aboriginal peoples. For example, in teaching the young, Elders and parents were responsible for teaching the children their way of life. Children learned from watching their Elders. As a result of children being taken away from their families and their communities, this cultural and spiritual aspect of their lives was stolen from them.

CHILD WELFARE

Near the end of the residential school era, families were subjected to another set of discriminatory practices and policies known as the “Sixties Scoop.” As a result of policies of various child welfare systems, large numbers of Aboriginal children were removed from their families and taken into care by child welfare agencies. Many children were put through various adoption processes mainly with white families. As a result, many of these children, who are now adults, lost connection with their birth family. It has also resulted in “a large residue of distrust and resistance to child welfare intrusions.”²⁶

In fact, there has been an increase in the number of Aboriginal children taken into care in recent years as well as an increase in the percentage of Aboriginal children under the care of child welfare agencies.²⁷ According to a review by the Assembly of First Nations in 2007, an estimated twenty-seven thousand Aboriginal children on and off reserve are in the care of child welfare agencies.²⁸ Mothers and their children are victimized in child welfare processes, as demonstrated in the “modern day tragedy”²⁹ of the point-blank shooting of Connie and Tyundinaikah (Ty) Jacobs by the Royal Canadian Mounted Police (RCMP). Both Connie and Ty were from the Tsuu T’ina First Nation community in Alberta. Connie and her husband Hardy had five children, and Ty was the oldest. Both Connie and Hardy “had a record of complying or trying to comply with the requests and requirements of the Child and Family Services, because they wanted what was best for their children.”³⁰

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Connie refused to allow two Child and Family Services workers to intervene and take her children out of her home. On 22 March 1998, Connie was shot in the heart by an RCMP officer. Ty was standing beside his mother when the shot was fired, and he too was killed. A public inquiry into the deaths, reporting to Alberta's Attorney General, included recommendations about the jurisdiction of family and child welfare services and what the responsibilities of their services should be. It also included the recommendation that "more be done to assist women, in particular, mothers, to be able to feel some power and control over their lives and feel a sense of independence."³¹ It was a tragedy that it took the deaths of Connie and Ty Jacobs to bring to public attention the lack of power and control of Aboriginal women who come to the attention of the child welfare system.

In its submission to the inquiry, the Native Women's Association of Canada noted the strong correlation between poverty and children in care. The extent of poverty among Aboriginal women and children is discussed briefly in the next section of this paper.

ABORIGINAL WOMEN AND CHILDREN: POOREST OF THE POOR

It is well-documented that First Nations people, both on and off reserve, are now amongst the poorest in Canada. Indigenous women, living both on and off reserve are the poorest amongst Aboriginal peoples:

In Canada, 42.7% of Aboriginal women live in poverty, double the percentage of non-Aboriginal women and significantly more than the number of Aboriginal men. The average annual income of an Aboriginal woman is \$13,300, compared to \$19,350 for a non-Aboriginal woman ... As well as being overrepresented among the poor, the economic contributions Aboriginal women do make are often minimized and ignored.³²

In 2000, the Ontario Federation of Indian Friendship Centres (OFIFC) issued a report on child poverty among urban Aboriginal families.³³ The research included fifteen interviews with parents and front-line workers in seven Ontario cities as well as four focus groups. In one hundred per cent of the interviews, psychological effects were mentioned: "Words such as low-self esteem, depression, anger, self-doubt, intimidation, frustration, shame and hopelessness were used to describe some of the crushing feelings of Aboriginal children and parents living in poverty. Families are feeling despair as they cannot see any way to 'rise above' their situations."³⁴ The report also brought together a

number of startling statistics from a variety of sources. For example, a national study of sixteen thousand people (excluding on-reserve populations) found that families of hungry children were thirteen times more likely to be on social assistance or welfare, eight times more likely to be headed by a single parent, and four times more likely to represent people of Aboriginal ancestry living off-reserve.³⁵ Data cited from the 1996 Census show that over half (52.1%) of Aboriginal children are poor.³⁶ Proportionately, more Aboriginal children live in lone-parent families, and single-parent families headed by women are more likely than two-parent families to be poor. The OFIFC report also raised concerns about the number of Aboriginal children and youth driven by poverty into participation in the sex trade.³⁷

These statistics highlight the economic vulnerability of Aboriginal women and children. It was reiterated in a report on Aboriginal women and the economy that “Aboriginal peoples’ marginalization within today’s economy is tied to their displacement from their land ... This displacement destroyed a traditional way of life and undermined Aboriginal peoples’ ability to provide for themselves, a right which is guaranteed in international laws such as the International Covenant on Economic, Social and Cultural Rights.”³⁸ This report also reflected on the multiple barriers that Aboriginal women must endure to be economically viable. Many women are forced to leave their home communities—and often their children—in order to find employment or pursue training or education. In doing so, they also leave behind a part of their culture as they struggle to fit into a non-Aboriginal work environment. The report also pointed out that Aboriginal people often have lower levels of education than the general population, and this restricts them to lower-wage jobs. A related barrier is the lack of work experience, especially for people migrating to an urban centre from economically depressed areas. Other barriers include systemic racism and lack of affordable child care.

JUSTICE ISSUES

In Canada, Aboriginal women also suffer discrimination on the basis of race, gender, and class within the justice system. The Manitoba Justice Inquiry states:

Aboriginal women and their children suffer tremendously as victims in contemporary Canadian society. They are the victims of racism, of sexism and of unconscionable levels of domestic violence. The justice system has done little to protect them from any of these assaults.³⁹

The element of systemic racism runs very deep within some police forces. This issue was examined by RCAP and numerous provincial justice inquiries and federal task forces, the most recent being the Ipperwash Inquiry in Ontario. One of the reasons behind the distrust of police expressed by so many Aboriginal people is the experience of being both over-policed and under-policed. The RCAP *Report* stated that “when compared to non-Aboriginal communities, Aboriginal communities received proportionately greater law enforcement attention and proportionately less peace-keeping and other services.”⁴⁰ With respect to under-policing and violence against Inuit women, a report by Pauktuutit Inuit Women’s Association found that under-policing was a serious issue for women in communities without community-based police services:

In order to serve all parts of the communities, the police have to know our communities, they must be a part of our communities. They must also understand what the life of a woman who has been beaten can be like in a community along the Labrador coast where there are no police, or where the police are not very supportive. Without this knowledge and understanding, the RCMP will not be able to respond to the needs of the victims of violence. Until we have the necessary resources in our communities to provide for protection to women on a permanent basis (for example: police based in the community) and to provide a safe place where women can receive counselling, support and protection, many women will not leave and can’t leave the violent home.”⁴¹

Another aspect to consider is the treatment of Aboriginal people by the police. A prime example is the case of Donald Marshall, who was unjustly convicted of murder in Nova Scotia following a biased police investigation. Aboriginal people, including Aboriginal women, are vastly overrepresented in federal and provincial jails and have frequently been subject to violent police actions:

In April 1990 the *Globe and Mail* ran a three-part analysis of policing in the provinces of Manitoba, Saskatchewan, and Alberta, looking at the municipal police and the RCMP, and reported that Native persons have come to expect police bias. Moreover, there is good evidence that alleged police misconduct rarely results in satisfactory enquiry or sanction. In the five years of its operation, the Law Enforcement Review Agency in Manitoba, for example, upheld only two of a hundred complaints, one of which was later overturned. Similarly, in Alberta there are few successful complaints to the Law Enforcement Appeal Board; nor are complaints apt to bring consequences from the Board of Commissioners in Saskatchewan.⁴²

The Manitoba Justice Inquiry found that police officers treat First Nations and non-Native people differently:

Complaints over over-policing focus on the perception that Aboriginal people are singled out for enforcement action and subjected to stereotyping by police forces. Many who appeared before us complained about being stopped on the street or on a country road and questioned about their activities. We heard complaints that Aboriginal people are charged with offences more often than their white counterparts. They may also be charged with a multiplicity of offences arising out of the same incident. Many such charges are never proceeded with, and appear to be harassment. We believe that many Aboriginal people are arrested and held in custody when a white person in the same circumstances either might not be arrested at all, or might not be held.⁴³

The above quotes provide examples of some of the reasons for the high levels of distrust of police among Aboriginal peoples. This distrust has been reiterated by members of families of the missing and murdered Aboriginal women who participated in interviews with representatives of NWAC. More task forces and inquiries are not required to determine that the relationship of the police with Aboriginal peoples in Canada is not a good one.

With the history of colonization and its effects on Aboriginal women, the institutions and systems that exist in Canada are still causing grave human rights abuses. This paper has outlined some of the underlying factors that impact and influence the lives of Aboriginal women today, including the lives of the Aboriginal women who have been murdered or gone missing. In the next section, we discuss the *Sisters in Spirit* initiative and what we have learned to date.

OVERVIEW OF THE SISTERS IN SPIRIT INITIATIVE

As of December 2007, 487 Aboriginal women across Canada have been confirmed through the *Sisters in Spirit* initiative as missing or murdered. The earliest known case in NWAC's database occurred in 1957. Fifteen per cent of the known cases took place in the 1980s, thirty-four per cent in the 1990s, and forty-seven per cent in this decade. This might indicate either a growing pattern of violence resulting in disappearance/death of Aboriginal women or simply increased reporting of the issue. The lives of these women were taken at a very young age. Slightly more than fifty per cent of the women were under the age of twenty-five years. A further twenty-two per cent of the women were

The *Sisters in Spirit* initiative is dedicated to increasing the personal safety and security of all Aboriginal women and girls in Canada ...

between the ages of twenty-five and thirty-four years. The remaining twenty-six per cent of the Aboriginal women whose lives have been taken were over thirty-five years of age. There is a grave concern that young Aboriginal women are at great risk.⁴⁴

NWAC raised the issue of violence against Aboriginal women with the federal government in 2004. NWAC estimated that over the past twenty years, hundreds of Aboriginal women have gone missing in communities across Canada, yet government, the media, and Canadian society continue to remain silent. In October 2004, Amnesty International released its report *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada*. The report included stories about Canada's missing and murdered Aboriginal women and recognized that "In every instance, it is Amnesty International's view that Canadian authorities could and should have done more to ensure the safety of these women and girls."⁴⁵

The *Sisters in Spirit* initiative undertaken by NWAC is a long-term research, education, and policy initiative designed to increase public knowledge and understanding of the impact of the racialized, sexualized violence against Aboriginal women that often leads to their disappearance or death. The initiative has been formally funded since 2005 by Status of Women Canada. Academic literature has tended to focus on domestic violence rather than violence rooted in the systemic, gendered racism facing Aboriginal women. The *Sisters in Spirit* initiative is dedicated to increasing the personal safety and security of all Aboriginal women and girls in Canada by implementing a research initiative aimed at policy change and education. The culturally relevant community-based research plan examines gendered racism experienced by Aboriginal women resulting in their disappearance or death by exploring the following questions through quantitative and qualitative methodologies:

- 1) What are the circumstances, root causes, and trends leading to racialized, sexualized violence against Aboriginal women in Canada?
- 2) How has the justice system responded to family and community reports of missing/murdered Aboriginal women in Canada? What issues, challenges, and gaps exist?
- 3) What changes need to be implemented in order to improve the safety and well-being of Aboriginal women in Canada, particularly with respect to this issue?

- 4) How can these changes be implemented in order to reduce or prevent the racialized, sexualized violence against Aboriginal women, particularly when it results in their disappearance or murder?

In meetings with grieving families, it is heart-wrenching to listen as family members share their grief with regard to their missing and/or murdered daughter, mother, grandmother, sister, or aunt. It is even more emotional when it is the loss of a young daughter or sister. Parents do not expect to live longer than their children, and it is devastating when a child is taken in a violent manner such as in these situations. Where we have been able to document cause of death, stabbing (27%) and strangulation (27%) are leading causes, followed by trauma (19%) and gunshot wounds (12%).⁴⁶

Presently, one-third of the women are classified as missing, and two-thirds are confirmed as murdered. It is obviously difficult to deal with the loss of a loved one, but the grief is even more difficult to cope with when the institutions designed to serve you let you down. It is unacceptable that one-third of the young Aboriginal women who have gone missing have not been found. Families express continued frustration and anger that more resources are not poured into finding their loved ones. When families are expected to attend murder trials involving their loved ones, there is even more frustration and anger that financial support from public institutions is not forthcoming and that moral support from their own community is not always available.

In the interviews NWAC has conducted to date with families of missing or murdered Aboriginal women, there is often confirmation that the systemic inequalities and Canada's genocidal policies, such as those introduced earlier in this article, have played a key role in the lives of these stolen sisters. In most cases, parents or grandparents of the women had attended residential school. Many spoke of the resulting family dysfunction or disconnect as impacting their lives and placing the women in a vulnerable situation. Many of the Aboriginal women had been displaced from their community due to the impacts of the genocidal policies of the *Indian Act*. Many of the missing or murdered women were forced into the child welfare system and adopted out. Many were included in the high statistics as an offender in a federal or provincial jail. Some of the young women found themselves in the city with inadequate income to support themselves and their families. Many were victims of poverty and powerlessness living in unsafe neighbourhoods in inadequate housing. The women often had unresolved personal, emotional, or health issues like those documented through the work of the Aboriginal Healing Foundation. Our interviews with families confirmed that in some cases these issues led to addictions and/or risk-oriented behaviours.

There is no time limit on healing: it could take a lifetime and some people never recover. The abuse that Survivors had to endure did not happen in a span of two months, five months, or twelve months, it was decades of systematic abuse.

*Jessica Lafond, 23
Wet'suwet'en
Gilseyhu (Big Frog) clan
Prince George, British Columbia*

Aboriginal families do care about their children, sisters, and aunts, but many would echo the sentiment that their cries for help received no response.

Other young women were simply in the wrong place at the wrong time in a society that poses a risk to their safety. They were targeted because they were Aboriginal, and it was assumed that either they would not fight back or they would not be missed. Aboriginal families do care about their children, sisters, and aunts, but many would echo the sentiment that their cries for help received no response. All too often families or the victims themselves were blamed for the circumstances which led to the Aboriginal woman's death, rather than focusing attention on the crime and the perpetrator. The families we work with describe an ongoing mistrust of those meant to protect them or those meant to pursue justice. Their concerns would seem to be validated with the research we have conducted to date, which indicates that approximately seventy per cent of the murder cases have not been resolved.⁴⁷

The *Sisters in Spirit* initiative is beginning to identify "clusters of activities" across the country where Aboriginal women are at extremely high risk of violence, disappearance, and death. These include Regina, Saskatoon, Edmonton, Winnipeg, Vancouver, and communities in northern British Columbia on Highway 16, centering on Prince George. Other clusters have been identified in northern Ontario, the Northwest Territories, New Brunswick, Newfoundland, and Quebec.

NWAC has developed a comprehensive policy strategy for implementation with the federal government, provincial/territorial governments, First Nations communities, and the international community on issues relating to the personal safety, security, and human rights of Aboriginal women. This framework is intended to strategically and holistically address the underlying factors that contribute to gendered racism against Aboriginal women resulting in their disappearance or death. Four key policy areas have been identified as the primary focus of the NWAC strategic policy plan:

1. Reduced violence
2. Improved education and employment outcomes
3. Safe housing
4. Access to justice

This framework is intended to be a guide for future work that leads to the achievement of the vision and objectives of this initiative. NWAC will be working with federal government departments and provincial/territorial governments to encourage them to use this framework to develop and implement strategic actions aimed at reducing violence against Aboriginal women, improving education and employment opportunities, and increasing access to safe housing and justice. Community-based organizations are encouraged to use the framework as a resource to support their policy platforms.

IMPLICATIONS FOR THE TRUTH AND RECONCILIATION COMMISSION

Canada has often failed to provide an adequate standard of protection to Aboriginal women. This has become readily apparent as more Aboriginal women go missing, more are found murdered, missing women are not found, and murders are not solved. Article 6 of the *International Covenant on Civil and Political Rights* provides, in part, that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”⁴⁸ The failure to respond quickly and appropriately to threats to Aboriginal women’s lives means that Canadian officials have failed to live up to their responsibility to prevent violations of Aboriginal women’s fundamental human rights.

In Canada, extensive research has documented how Aboriginal women experience acute marginalization in the areas of social engagement, education and economic opportunities, cultural practices, political action, and civil/human rights. A review of regular statistical measures, such as the Census of Canada, demonstrates that although some small gains have been made, Aboriginal women continue to experience much lower educational attainment, employment, income, health, and wellness outcomes than other Canadian women.

As noted, government policies have forcibly displaced Aboriginal women from their communities. The marginalization they experience results in a series of negative outcomes, including overexposure to violence and abuse, poverty, inadequate housing, homelessness, addictions, and poor health. Aboriginal women are overrepresented in the justice system and experience limited life opportunities in both their public and private lives.

NWAC has learned that many of the resulting issues that have affected families of the missing and murdered Aboriginal women are the result of the detrimental effects of the residential school system. The grief, blame, and shame that many Aboriginal people experience are emotions that many families of the missing and murdered are feeling. Many families have not come forward for many reasons, whether it is based on shame and grief or whether the negative effect of addictions has also had an impact.

NWAC has also recognized that the disclosures of the stories of the missing and murdered Aboriginal women are just beginning. We have only scratched the surface. This can be equated to the initial disclosures of abuse by the Survivors of the residential school system. It took a long time for people to be

comfortable enough to be able to talk about these issues. And many are still feeling the shame and guilt, both as Survivors of residential schools and as family members of the missing and the murdered.

The Truth and Reconciliation Commission should take into consideration the special needs of Aboriginal women and consider how to effectively engage them in the process. They must recognize that many Aboriginal women have been marginalized and displaced from their communities. It will take special efforts to gain their participation and voice in the reconciliation process. Families who are grieving murdered and disappeared members may be reluctant to even consider reconciling with a society whose institutions have failed them so profoundly.

The grandparents and Elders say “Don’t hold on to guilt, move forward.” There are many Canadians who are so ashamed of what their ancestors have done that they don’t know how to approach us. We have to offer them something.

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

Participating families have made it very clear to us that they will share their stories and help us unravel root causes, circumstances, and trends in order to influence positive change. We have been instructed to do so in a good way. As a result, NWAC has developed an approach that embodies principles of caring, sharing, trust, and strength. We have developed respectful ways of reaching out to grieving families. We go to them when they are ready and as often as they request. We are only a vehicle for their voices; we do not claim to represent them. They want their voices to be their own. We have learned that when people come together in a caring and sharing way and when they have trust, they will then begin to gain strength and become well as they continue on the grieving and, ultimately, on their healing journey. The overall intent is to move toward a better understanding of the challenges faced by Aboriginal women and the gaps within the current system so that improvements will be made and the vision of these families and stakeholders is realized.

NWAC has built within its processes of working with grieving families a process of building trust. In building this trust, family members are comfortable in sharing their grief, thus allowing this process to assist in their healing journey. In describing the purpose of the *Sisters in Spirit* initiative, many families who have volunteered to participate have reiterated that they do not want any more families to have to go through what they go through.

NOTES

- ¹ Native Women's Association of Canada (2002). Violations of Indigenous Human Rights. A submission to the United Nations Special Rapporteur investigating the violations of Indigenous human rights. Retrieved 14 January 2008 from: <http://www.nwac-hq.org/documents/ViolationsofIndigenousHumanRights.pdf>
- ² Stevenson, Winona (1999:65). Colonialism and First Nations Women in Canada In Enakshi Dua and Angela Robertson (eds.), *scratching the surface. Canadian anti-racist feminist thought*. Toronto, ON: Women's Press.
- ³ *An Act for the better protection of the Lands and Property of the Indians in Lower Canada*, passed in 1850. Royal Commission on Aboriginal Peoples [RCAP] (1996). Report of the Royal Commission on Aboriginal Peoples, Volume 4: Perspectives and Realities. Ottawa, ON: Minister of Supply and Services Canada. See footnote 15, page 97, which cites the relevant section of the *Act*.
- ⁴ RCAP (1996:25).
- ⁵ RCAP (1996:25)
- ⁶ RCAP (1996).
- ⁷ RCAP (1996:27).
- ⁸ Under section 3 of the *Indian Act, 1876 - An Act to amend and consolidate the laws respecting Indians*. Retrieved 29 January 2008 from: <http://epe.lac-bac.gc.ca/100/205/301/ic/cdc/aboriginaldocs/m-stat.htm>
- ⁹ Stevenson (1999:66).
- ¹⁰ RCAP (1996:18).
- ¹¹ Stevenson (1999:68) [endnote removed].
- ¹² Stevenson (1999:69).
- ¹³ RCAP (1996:23).
- ¹⁴ RCAP (1996:28).
- ¹⁵ Stevenson (1999:71).
- ¹⁶ Stevenson (1999:71).
- ¹⁷ For details see Clatworthy, S. (2003). *Factors Contributing to Unstated Paternity*. Ottawa, ON: Minister of Public Works and Government Services Canada. Retrieved 26 January 2008 from: http://www.canadiancrc.com/PDFs/Unstated_Paternity_1st_Nations_en.pdf
- ¹⁸ Clatworthy (2003:2) [emphasis removed].

¹⁹ Clatworthy (2003:3).

²⁰ Mann, Michelle M. (2005). *Indian Registration: Unrecognized and Unstated Paternity*. Ottawa, ON: Status of Women Canada. This article contains an excellent discussion of the administrative and substantive reasons behind unstated and unrecognized paternity. Retrieved 26 January 2008 from: http://www.swc-cfc.gc.ca/pubs/pubspr/066240842X/200506_066240842X_11_e.html

²¹ Clatworthy (2003).

²² Clatworthy (2003:4).

²³ Clatworthy (2003).

²⁴ Article 7 of the *United Nations Declaration on the Rights of Indigenous Peoples*, adopted in 2007 without the support of the Government of Canada, states the following: "Indigenous peoples have the collective and individual right not to be subjected to ethnocide and cultural genocide." Retrieved 18 January 2008 from: <http://www.treatycouncil.org/UNITED%20NATIONS%20DRAFT%20DECLARATION%20ON%20THE%20RIGHTS%20OF%20INDIGENOUS%20PEOPLES.pdf>

²⁵ Jacobs, Beverley (2000). *International Law/The Great Law of Peace*. Master's degree in law thesis (University of Saskatchewan).

²⁶ Eberts, Mary (2000:4). "Submissions of the Native Women's Association of Canada to the Inquiry into the deaths of Connie and Ty Jacobs. His Honour Judge T. Goodson" March, 2000 – references omitted.

²⁷ In another article in this volume (*Reconciliation Means Not Saying Sorry Twice: Lessons from Child Welfare in Canada*), Cindy Blackstock states "In February 2007, Minister of Indian Affairs Jim Prentice indicated that over nine thousand children from the on-reserve population were under the care of child welfare agencies, and the numbers had increased sixty-five per cent over the past decade." The statistics were derived from the following sources: Curry, B. (2007). *Cash not solution to natives' plight*: Prentice. *Globe & Mail*, Thursday, 6 February 2007, A4; and CBC News (2007). *Foster care system needs improvement*: Prentice. *CBC News*, February 6, 2007. Retrieved 29 November 2007 from: <http://www.cbc.ca/canada/north/story/2007/02/06/foster-care.html>

²⁸ Assembly of First Nations (2007). *Leadership Action Plan on First Nations child welfare*. Ottawa, ON: Assembly of First Nations. Retrieved 8 January 2008 from: <http://www.afn.ca/misc/afn-child.pdf>

²⁹ Canada. Province of Alberta (2000:para. 1). *Report to the Attorney General. Public Inquiry. Inquiry into the deaths of Constance Brenda Jacobs*

and Tyundanaikah Jacobs, May 15, 2000. Retrieved 14 January 2008 from: <http://www.assembly.ab.ca/lao/library/egovdocs/aljag/2000/132290.pdf>

³⁰ Eberts, Mary (2000:3). "Submissions of the Native Women's Association of Canada to the Inquiry into the deaths of Connie and Ty Jacobs. His Honour Judge T. Goodson" March, 2000 – references omitted.

³¹ Canada. Province of Alberta (2000:17).

³² UN Platform for Action Committee Manitoba (no date:para. 2). Aboriginal Women and the Economy. Retrieved 16 January 2008 from: www.unpac.ca/economy/awe.html [endnotes omitted].

³³ Ontario Federation of Indian Friendship Centres (2000). Urban Aboriginal Child Poverty: A Status Report on Aboriginal Children and Their Families in Ontario. Retrieved 16 January 2008 from: <http://www.ofifc.org/page/AborChilPov.htm>

³⁴ Ontario Federation of Indian Friendship Centres (2000:7).

³⁵ Ontario Federation of Indian Friendship Centres (2000). The numbers cited are from the 1994 Longitudinal Study of Children and Youth in Canada.

³⁶ Ontario Federation of Indian Friendship Centres (2000); Canadian Council on Social Development (2003). Aboriginal Children in Poverty in Urban Communities: Social exclusion and the growing racialization of poverty in Canada. Presentation to Subcommittee on Children and Youth at Risk of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities.

³⁷ Ontario Federation of Indian Friendship Centres (2000); and Urban Aboriginal Child Poverty Background (retrieved 16 January 2008 from: <http://www.ofifc.org/page/notes.htm>). The study referred to was conducted by the National Aboriginal Project Save the Children Canada and based on focus groups of commercially sexually exploited Aboriginal children and youth in twenty-two communities across Canada.

³⁸ UN Platform for Action Committee Manitoba (no date:para. 3, 5). Aboriginal Women and the Economy. Retrieved January 2008 from: <http://www.unpac.ca/economy/awe.html#4>

³⁹ Aboriginal Justice Inquiry of Manitoba (1991:c. 13, para. 1). Report of the Aboriginal Justice Inquiry of Manitoba, Volume 1: The Justice System and Aboriginal People. Retrieved 17 January 2008 from: <http://www.ajic.mb.ca/volume1>

⁴⁰ Royal Commission on Aboriginal Peoples (1993). Bridging the Cultural Divide: A Report on Aboriginal People and Criminal Justice in Canada. From

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⁴¹ Pauktuutit Inuit Women's Association of Canada (no date:39). *Inuit Women and Justice: Progress Report Number One*, "Violence Against Women and Children: The Concerns of Labrador Women." Presentation to the RCMP Voices of Change Conference, March 23, 1994, Happy Valley-Goose Bay, Labrador.

⁴² Forcese, Dennis (2000:186). *Police and the Public* [reprinted by permission of Prentice Hall Canada Inc. 1999]. In Neugebauer, Robynne, *Criminal Injustice: Racism in the Criminal Justice System*. Toronto, ON: Canadian Scholars' Press Inc.: 161–207.

⁴³ *Aboriginal Justice Inquiry of Manitoba* (1991:c. 16, para. 23).

⁴⁴ *Native Women's Association of Canada* (unpublished). *Sisters in Spirit Initiative Strategic Policy Priorities Framework*. Authored by Andrea J. Williams. Data presented in this section is based on the ongoing *Sisters in Spirit* initiative. Data collection consists primarily of secondary research; that is, collecting information that has already been published and in the public domain. It is confirmed with police forces and corroborating evidence such as coroner reports and court documents. An internal Community-Based Research Plan developed by Andrea J. Williams guides the work. The methodology has been verified by an international panel of academics.

⁴⁵ Amnesty International (2004:2). *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada*. Amnesty International, October 2004. Retrieved 26 January 2008 from: <http://www.amnesty.ca/stolensisters/amr2000304.pdf>

⁴⁶ *Native Women's Association of Canada* (research in progress).

⁴⁷ *Native Women's Association of Canada* (research in progress).

⁴⁸ United Nations (1976:article 6:1). *International Covenant on Civil and Political Rights*. Retrieved 17 January 2008 from: <http://www1.umn.edu/humanrts/instree/b3ccpr.htm>

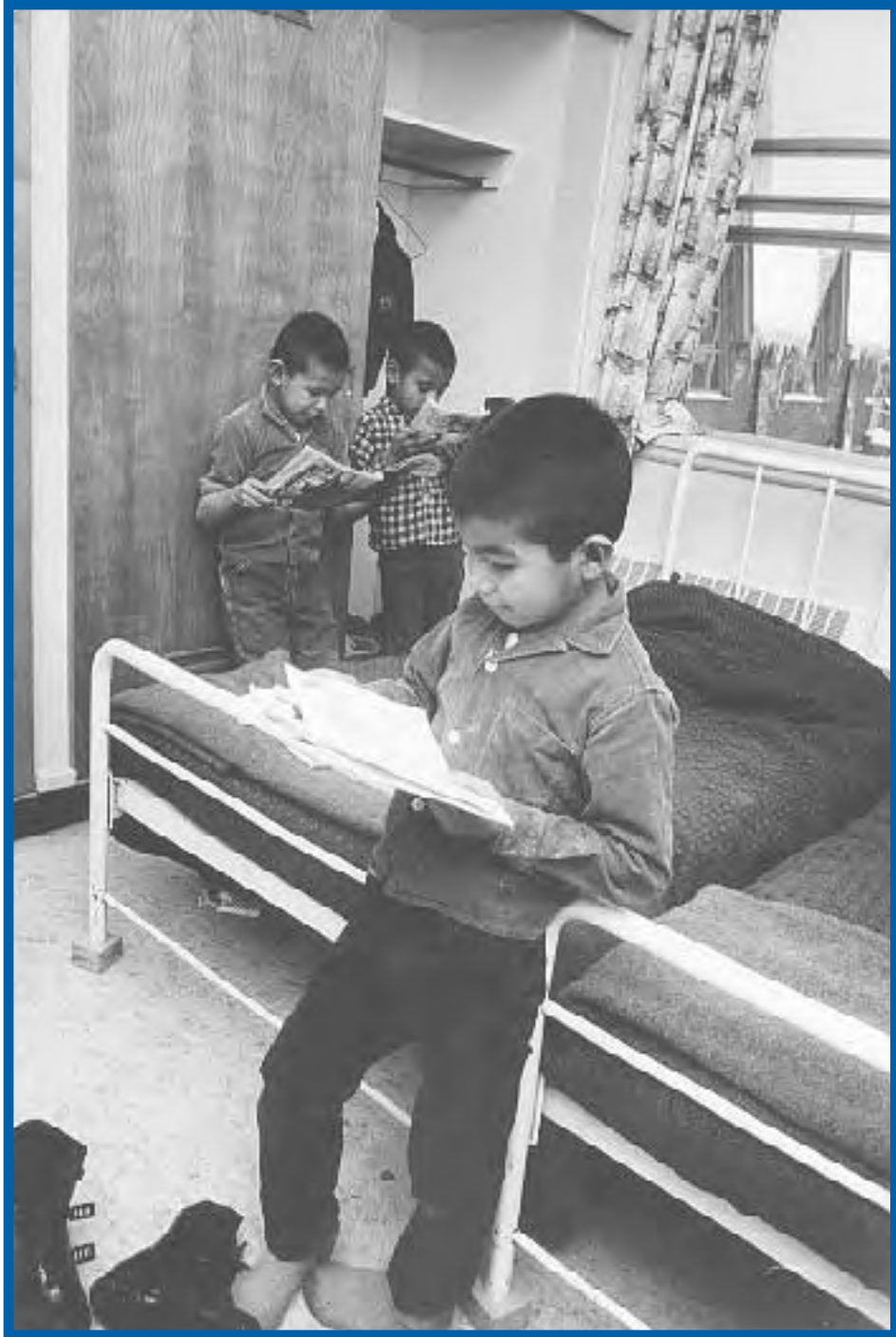


Photo: Courtesy of Janice Longboat

RUPERT ROSS

Rupert Ross has worked with the Ontario Ministry of the Attorney General as an assistant Crown attorney since 1985. He conducts criminal prosecutions in Kenora and over twenty remote, fly-in Aboriginal communities in northwestern Ontario. Between 1992 and 1995, he was seconded to the federal Aboriginal Justice Directorate where he travelled across Canada examining Aboriginal approaches to justice with special emphasis on healing programs for victims, offenders, families, and communities. Prior to becoming a lawyer, Rupert worked as a fishing guide in northwestern Ontario, an assistant film editor in Ottawa, a road manager for a Toronto rock band, a bartender in Spain, and a ski instructor in Minaki, Ontario.

As an Assistant Crown Attorney, Rupert's role includes searching for ways to make the criminal justice system more responsive to the present-day needs and cultural traditions of Aboriginal people. In addition to publishing numerous articles in Canadian legal, academic, and policing journals, he has authored two popular books, both short-listed for best Canadian book on social issues: *Dancing With A Ghost: Exploring Indian Reality* (1992) and *Returning To The Teachings: Exploring Aboriginal Justice* (1995).

Telling Truths and Seeking Reconciliation: Exploring the Challenges is an extraordinarily honest view of the fallout from residential schools. It is based on the observations of someone whose profession has exposed him to the pain, confusion, grief, and anger of the individuals involved and the ensuing damage frequently inflicted on families and communities. In addition to raising difficult and, often, disturbing issues, this essay advances a number of viable solutions. Rupert writes about the efficacy of coordinated, holistic approaches to healing and the barriers that must be deconstructed if these approaches are to prosper. He presents ideas for communicating to Canadians the truth about the richness and diversity of Aboriginal cultures. He exposes the need for truth-telling within Aboriginal communities with respect to violence and abuse and the need to alter the power structures that support abusers and banish victims. The author concludes that "we are not without the knowledge of how to turn things around. What is needed, from all of us, is the will."

TELLING TRUTHS AND SEEKING RECONCILIATION: EXPLORING THE CHALLENGES

Note to Reader: all of the views expressed herein are personal to the author and do not represent the policy or analysis of any branch of the Government of Ontario.

INTRODUCTION

I applaud the determination of the Truth and Reconciliation Commission to help Aboriginal Survivors of residential schools break their silence, tell their stories of neglect, denigration, and abuse, and seek healing from the grief, anger, and pain they have carried all these years.

I applaud as well the efforts being taken to bring the truth of such mental, physical, emotional, spiritual, and cultural abuses into the forefront of Canadian history. Until all Canadians understand how the churches and governments treated Aboriginal peoples in their attempt to de-indigenize them, there is little chance that they will understand the enormity of the wrong done *or the scope of their obligation to now approach them from a helping perspective.*

As important as those efforts are, however, I am concerned that much more needs to be done if we are to achieve our twin goals of securing adequate healing within Aboriginal societies and creating a respectful relationship with non-Aboriginal Canadians. There are, I am afraid, many more secrets that need to be told and processes of reconciliation that need to be established, both within Aboriginal communities and between our two cultural communities.

Within Aboriginal communities themselves, I suggest there are three distinct challenges:

1. designing processes to deal with the abuse of Aboriginal students within residential schools *by other Aboriginal students*;
2. designing processes to deal with the abuse of returning children by the adults who were left behind when the children were taken; and
3. designing processes to deal with present-day family violence and sexual abuse, whether or not the perpetrators were residential school Survivors, in recognition of the fact that those schools frequently set in motion an intergenerational transfer of trauma that continues to cause significant

downstream damage to Aboriginal families, their children, and their grandchildren.

Each of these categories of abuse, kept secret in far too many communities, raises different issues and may require different processes. If those secrets are left untouched, however, I fear that the numbers of Aboriginal children harming themselves and each other, sometimes fatally, will continue to escalate.

The task of bringing Aboriginal people and non-Aboriginal Canadians into a respectful relationship is perhaps even more daunting, and it certainly requires very different kinds of approaches. Frankly, I am not sure reconciliation is the right term, because apart from some early fur traders, like David Thompson, who seem to have understood the sophistication of traditional societies, I do not think such a respectful relationship has ever existed. I certainly do not see much evidence of respect for traditional societies in European writings at the time of contact. To the contrary, Thomas Hobbes infamously described Aboriginal peoples as living lives that were “mean, nasty, brutish and short.”¹ It is hard to imagine that the people who created the residential school system disagreed with Hobbes. More disturbingly, I suspect that Hobbes’ words describe how many non-Aboriginal Canadians see things *today*.

In that regard, I acknowledge that I too, despite my privileged education, grew up with that impression. Like almost all Canadians, I was never educated about the variety and sophistication of traditional approaches to governance, psychology, family raising, metaphysics, pharmacology, spirituality, holistic thinking, or a host of other foundational structures that existed within Aboriginal societies at the time of contact. As a result, none of us ever came to understand that *something of value was taken away* by those schools. Perversely, all of the tragedies we see today including the suicides, family violence, sexual abuse, and community dysfunction make it *easy* for many to believe that it has always been that way. In fact, I have heard people suggest that the real failure of residential schools was not that they were abusive (“just a few bad apples, stop complaining”), but that they proved incapable of rescuing Aboriginal people from themselves.

If truly respectful relationships are to ever emerge, non-Aboriginal Canadians must come to understand that there were healthy, vibrant, and sophisticated societies on this continent at the time of contact. They must understand that it was the determined policies of assimilation, including residential schools, that were primarily responsible for the *damage done* to those societies and the tragedies we see today. Until that history of damage is understood, it is

For my family, the effects of residential school will never come to an end. Residential schools and the traumatic experiences of the past are the underlying reasons for all of the sickness today. We didn't commit a sin but it was passed through us, passed on to us by the priests and the Indian agents. I hear residential school Survivors' stories every day, and if not for my spirituality, I would go crazy.

Murray Ironchild
AHF Board member
Piapot First Nation
Craven, Saskatchewan

unlikely that the dominant society will understand why they now bear the responsibility of assisting Aboriginal people in their efforts to *undo* the harm that was done.

I will turn now to the various contexts in which I suggest truth and reconciliation processes within Aboriginal communities must be encouraged.

THE ABUSE OF ABORIGINAL STUDENTS BY OTHER ABORIGINAL STUDENTS

It should not be surprising that students had abused other students because residential schools were themselves institutions centred on power, position, and force. The children who came into them were suddenly without defences, living completely at the mercy of their surroundings. Many Aboriginal people have confided that they were never abused by nuns, priests, or teachers but were abused regularly by older students. They told me that gangs flourished, bullying was common, and the only protection was membership in parallel gangs. There was no one to complain to, so you just shut up and took it or plotted revenge of your own.

This category of abuse presents unique challenges. In the first place, it is one thing to accuse foreign priests, nuns, or teachers but quite another to accuse one of your own. Many have kept this secret for thirty years or more, even from their own families, because they knew no one wanted to hear about it. Secondly, while most of the abusive priests, nuns, or teachers have died or moved away, those students who abused are likely to be close in age, very much alive, and in many instances, living in exactly the same community, just down the road. If truth-telling happens, it will have immediate consequences. Thirdly, such accusations may well be denounced as personal attacks aimed to further *existing* animosities within the inter-family politics of dysfunctional communities and not be seen for what they really are: major *contributors* to those animosities. Fourthly, such accusations may bring a host of related accusations into the open, for if gangs were operating, they had involved many people, few of whom have elected to speak of it over the decades. The person who opens up this Pandora's box runs the risk of losing their welcome in their community and of compromising their extended family's welcome as well.

Keeping silent, however, may only *perpetuate* the inter-family antagonisms that plague community politics, hiring, education, welfare, housing, and healing. Many Aboriginal communities complain that it is the adversariality of the Western system of government that lies behind the instability, rancour, and

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occasional violence seen in reserve politics. While that may indeed contribute, it is also likely that the unresolved history of abuse provides the personal, vendetta-like ferocity often seen within that institutional adversariality.

At the very least, it must be difficult to see the sons or daughters of someone who abused you thirty years ago entering into relationships with your own sons or daughters—and difficult as well to pretend cordiality and warmth when there is hurt and anger that has never been acknowledged.

Additionally, much of that abuse was likely witnessed by other students. They know what happened and are likely to translate things they see in today's community dynamics in terms of those secrets from long ago. Many may feel guilt for not having tried to stop it or not having brought it out into the open when it began to poison community relationships. The complex lines of fear, resentment, guilt, and even regret form subterranean spiderwebs that likely ensnare many community and inter-family relationships in ways that defy clear articulation, by anyone.

I do not know what kinds of processes might bring those secrets safely into the open. This category of abuse is different from family violence or intergenerational sexual abuse, for there are no family ties or parent/elder responsibilities to draw on in an effort to have all parties honour their relational responsibilities and come together in healing processes. To the contrary, there may be the opposite reaction of "I owe you nothing because you and your family have always had it in for me." It is hard to know what might motivate people to acknowledge their misbehaviour and seek reconciliation, unless it is seen by all as a *community* healing process aimed at expunging *all* of the hurt that afflicts today's community relationships.

And I suggest that might be an important role for the Truth and Reconciliation Commission: making a detailed analysis of how children placed in intrinsically violent situations like residential schools begin adopting violence in their relations with each other. If that dynamic can be explained in such a way that whole communities, abused and abusers alike, come to recognize that it was the *situation* that prompted the violence between them, capturing so many children, often turning one year's victim into the next year's perpetrator, then perhaps individual truths could safely be told and true reconciliation could begin. If this kind of reconciliation does not happen soon, I worry that chaotic community governance will continue in too many places, and legitimate demands for self-government will continue to be strongly resisted.

COLLATERAL VICTIMS: THE ABUSE OF RETURNING CHILDREN BY ADULTS LEFT BEHIND

One woman in her late forties told me that she had not been physically abused in her ten years at residential school, but when she returned home she was sexually abused, first by an uncle and then by an older cousin. She had kept that abuse secret for decades. When she first started to acknowledge it, she was engulfed by a desire to do violence in return, but as her healing journey progressed, she came to see it differently, to understand that the adults she came back to were in fact *changed* adults and that the whole centre of their universe had been taken from them the instant the children disappeared. It took her many years to see them for what they were, *collateral* victims of the residential school system, people who had been forced to endure the ultimate insult of being told that they were incapable of raising children properly.

Once again, there is a grotesque irony at work: taking the children to protect them from imagined disadvantage and harm ultimately created exactly the situation the authorities said they feared. “We were all victimized by that system,” she told me, “and it took me many years to understand that the people who abused me deserved my sympathy, not my anger.” I still marvel at the sophistication of her analysis and the fact that she put it into practice by going to her abusers in a spirit of forgiveness and reconciliation. I often wish her story had been captured on film and shown in First Nations across the country, because not many harmed people have been able to reach her level of understanding.

This may be another valid task for the Truth and Reconciliation Commission: finding ways to articulate the impact of residential schools, not only on the children captured within them, but also on the adults left outside them. I believe every parent of every culture would immediately understand the totality of that loss and be moved toward regret, reconciliation, and recompense. Just as importantly, if Aboriginal people who were victimized upon return to their changed community can be helped to distinguish cause from effect, to see their abusers as this woman did, then perhaps they would more likely seek reconciliation with those who caused them such harm.

THE DOWNSTREAM VIOLENCE WITHIN FAMILIES

In my twenty-two years as a prosecutor, some stories have haunted me—and taught me how violence within one generation transfers into the next.

It is important that the youth in the communities are heard. They have received the brunt of the poor parenting and the loss of language and culture, and they are the ones who will have to rebuild our communities—what they have to say is really important.

Susan Hare
AHF Board member
Ojibway
M'Chigeeng, Ontario

I recall one young boy who exploded in sudden violence one day. As he explained it later, the thing that drove him crazy growing up was that everyone in the community knew how frequently his father beat up his mother, but everyone pretended it was not so. His father pretended, his mother pretended, his brothers and sisters pretended, everyone did. His parents had both been to residential school, but never learned how it damaged their ability to form relationships based on trust, openness, generosity, and respect. Instead, they put on a brave face, spoke of things like forgiveness, but continued living within violence and continued passing violence to their son.

In another case, a sixteen-year-old boy had been raised in a situation of chronic violence and alcohol abuse. On welfare days, the drinking was at their house, along with the beatings and, frequently, the sexual abuse of passed-out women. He told of hiding in the closet with his little sister, putting his hands over her ears so she could not hear the thuds and grunts going on around them. When everything turned quiet, they would sneak out of the closet, step carefully over the bodies, and scrounge for food. Because his hands were over his sister's ears, nothing blocked those grunts and thuds from his own ears, so he learned to block them out mentally. He got so good at it that he became a virtual psychopath, *unable* to feel the pain of others. By the time he came to our attention, he had crossed over normal sexual boundaries with more than a dozen girls, oblivious to their objection and pain. Despite lengthy treatment, we could not bring that human capacity for empathy back to him, and he continued to offend. It was the most severe case of downstream damage from residential schools I had ever seen.

Until recently, that is. Things seem to be unravelling with frightening speed in a number of communities in my region, with a whole new generation of non-empathic, isolated, angry, lonely, and violent children appearing in our courts. They are children of the children of parents who survived residential schools, and if they are the future, it is bleak in far too many communities. I worry that all of the truth and reconciliation opportunities brought to their grandparents, all of the financial settlements and apologies from churches and governments, will do virtually nothing to help those damaged children. What they need is truth, reconciliation, and healing with—and between—their traumatized parents, and nothing less will do.

In northwestern Ontario, incredibly, we have only *two* residential facilities dedicated to family healing, and literally hundreds of families need their help. I have seen miracles take place within those facilities, and I am deeply angry that there are not more opportunities to work those miracles.

One of those miracles took place at the Reverend Beardy Memorial - Wee Che He Wayo-Gamic Family Healing Centre in Muskrat Dam First Nation located in northwestern Ontario. Even though her husband had beaten her severely, the wife wanted to give family healing a try. I agreed, releasing her husband from jail, and they travelled to Muskrat Dam for their five-week program. When they returned to their own community with good reports from Muskrat Dam, I still waited nearly a year before sentencing to see if the changes were lasting. Two of the wife's friends told me the changes were so obvious that they had asked her if she and her husband could share what they had learned. She was very clear in her explanation. She and her husband had *both* grown up with abuse between their parents, but had never talked about it with each other. In counselling, they learned that they were still seeing things through the lens of their parents' abuse. When one would get angry about something, the other would receive that anger within their own experience of abuse between their parents, which led quickly to violence. As a result, they would respond in a disproportionately resentful, fearful, and hostile way. This in turn would cause the other one to come back with a similarly disproportionate response, escalating the fear and hostility until both were swept up in exactly what they feared: a level of violence that often became physical. It was as if the patterns of escalation were so deeply implanted that they took over even the slightest disagreement, leading both of them where neither wished to go. Once they understood the chain reaction, however, they could begin to disengage from it. I cannot recall her exact words, but it was something like this: "We learned how to talk to each other, instead of talking as if we were our parents, and we learned how to hear each other, instead of hearing them. We're learning how to escape those patterns we grew up in."

I must mention that both husband and wife felt it was essential that their children join with them in exploring the past and learning new skills of listening and interpreting. They were surprised to learn that their children felt responsible for not having stopped the violence, or for starting it in the first place, and were grateful they had a chance to convince them otherwise. Their story helped me glimpse the validity of the Aboriginal healing perspective that it is not *people* who must be changed, but the ways in which they relate to each other, for it was out of that perspective that their miracle emerged.

In that regard, a Cree grandmother interpreted it this way: People who do violence to others somehow grew up learning that relationships were things built on values like fear, anger, power, jealousy, secrecy, greed, and the like. To counter that, it was necessary to begin teaching them how to establish relationships based on the opposite values like trust, openness, generosity, respect, sharing, caring, and love. She asked me what values prevailed in our

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jails and, when I chuckled at that, she told me that was the reason she thought it was often harder to bring people into living good relationships once they had been sent off to jail. In her view, we need to give those people the experience of good relations, not an even deeper experience of bad ones.

For the first time, I began to see how people who were abused as children could grow up to be abusers of children: they stayed in exactly the same *kinds* of relationships they learned as children, only the roles reversed when, as adults, the power came to them. I have also learned that most of them vividly recall the pain they felt as kids, so they know the pain they themselves are causing. Unfortunately, they have never been given ways out of those relationships, and their self-hatred grows.

Perhaps this is another worthwhile challenge for the Truth and Reconciliation Commission: fostering the creation of processes where traumatized families can escape the violent relational patterns they absorbed as children and start living within healthy relationships instead, before their children are *irrevocably* damaged.

As a footnote, many families refuse to seek help in their home communities, fearing that gossip, ridicule, and retribution may follow disclosure. If more neutral-ground family healing centres like the one in Muskrat Dam First Nation were available, perhaps operated by multi-community groups like tribal councils, this obstacle might be overcome.

On a hopeful note, the Truth and Reconciliation Commission does not have to look far to find effective community intervention strategies. First Nations like Muskrat Dam, Hollow Water in Manitoba, and Mnjikaning (Rama) in southern Ontario have already demonstrated how traditional teachings can bring families back to healthy relations. The real challenge may lie in persuading government agencies to stop putting roadblocks in their way, a topic I will return to later.

INTERGENERATIONAL SEXUAL ABUSE

The Hollow Water First Nation in Manitoba has been dealing with sexual abuse cases for nearly twenty years and working with other First Nations for almost as long. Their experience tells them that in many communities between sixty and eighty per cent of the people have been victimized by sexual abuse, primarily at the hands of extended family members, and fully fifty per cent have been victimizers to one degree or another.

The layers of secrecy and fear on this issue often seem impenetrable. I remember sitting in a circle of Aboriginal women from across Canada one day and I mentioned a case where we had charged an elder² with sexually abusing his adopted daughter for five years, subjecting her to both anal and vaginal intercourse. Instead of the shocked denunciation I expected for accusing an elder of such a thing, I was swamped with stories of similar abuse in other communities. When I told them that the chief responded to the girl's plea for help by calling the elder and telling him to come get her, there was a chorus of stories about similar cover-ups. And when I mentioned that the chief and council, upon conviction of the elder after a hard-fought trial, asked the court for a healing sentence despite the fact that the elder had never admitted his crime and the little girl had been banished from the community, I got the same response: the power structures in many communities routinely supported the abusers and banished the victims.

I also recall a case where the father was charged with sexually abusing his youngest daughter. When the daughter finally disclosed and charges were laid, all her sisters turned on her, saying "What makes you think you're so special? We put up with it." The normalization of sexual abuse in some communities, and the degree to which it is tolerated, stands as perhaps the darkest secret needing processes for truth and reconciliation.

Even when help is offered, denial still may rule the day. In one community, two energetic mental health workers arranged for sixteen young men, each facing charges for offences of significant violence, to go to an Alberta treatment centre, and we agreed to adjourn their cases to let that healing begin. However, when the chief and council learned that the treatment was to focus primarily on the sexual abuse they had endured as youngsters, they withdrew the funding: too many skeletons would be revealed in too many closets. Sadly, until *safe* processes are in place to handle the emotional explosions that such disclosures inevitably prompt, this response cannot be faulted. In the meantime, entire communities live in perpetual denial of significant pain.

In my view, there is an urgent need for the Truth and Reconciliation Commission to help communities develop healing processes in sexual abuse cases. To repeat an earlier refrain: unless that happens, all its efforts to bring Survivor stories out in the open will contribute little to community health, for the youngest and most vulnerable generation will still be living in a deeply traumatizing existence.

Once again, we do not have to *imagine* what such truth and reconciliation processes might look like, for we already have the example of Hollow Water.

Instead, we have to ask why more communities have not been able to follow Hollow Water's lead and create community healing teams of their own.

NECESSARY CONDITIONS FOR COMMUNITY TRUTH AND RECONCILIATION

In my view, First Nations like Hollow Water and Mnjikaning have succeeded in establishing effective truth and reconciliation processes for two reasons: they decided their children needed nothing less, and they firmly told government funding agencies that they were *not* going to be bound by their rules, their definition of the problem, or the kinds of training they offered. They decided to do it their own way—and they did.

Federal and provincial governments fund many kinds of service providers in First Nations, including grief counsellors, family workers, child care workers, alcohol and drug counsellors, nurses and nurse's aides, teachers and teacher's aides, and suicide prevention workers. In one community, there were nineteen people on full-time salaries for work related to community healing. Each of their outside supervisors, however, controlled what they could do, demanded strict confidentiality, determined what kinds of issues could or could not be dealt with, and designed the kinds of training they thought should be given. I do not suggest malevolent intention here; it is just the way our bureaucracies are organized.

What Hollow Water did was as simple as it was revolutionary: each worker told their outside agency they were going to come together as a healing team, share their information, and design common training that recognized almost every manifestation of trauma could be traced to a single source—the imposition of colonization strategies, especially residential schools. They then insisted that they would establish their own priorities and processes for healing, with special emphasis on holistic family and community healing. It took exceptionally brave and determined people to do that (and a few courageous officials in justice, health, education, and other bureaucracies), but they are succeeding.

As we have seen, there may be other challenges beyond bureaucratic roadblocks: some band councils may wish to never have the secrets revealed; some communities may be so traumatized that it is hard to even start pulling a team of healthy individuals together; and some may just feel there is no hope anyway. But, I do suggest that the primary reason communities like Hollow Water and Mnjikaning have succeeded lies in the fact that they were strong enough to defy governmental insistence on confidentiality and control.

Another task of the Truth and Reconciliation Commission might then involve putting together an argument capable of persuading government departments (or the political leadership of those departments) that truly *effective* healing work under each of their separate mandates requires four things:

1. granting permission for each worker's participation in a community healing team that shares information about the families and individuals in need, acknowledging that the confidentiality requirements should apply to the teams *as a whole* instead of individual team members;
2. understanding why it is that almost all the dysfunctional behaviour to be dealt with in First Nations stems out of the larger traumatic experience of colonialism, with special reference to the multi-generational impact of residential schools;
3. lending necessary support to community healing teams in the design of their own training so that all those manifestations of colonization trauma are approached in a holistic fashion, according to the traditions and cultures of individual peoples and within their own evaluations of what the community is or is not ready to accept; and
4. re-designing their funding structures over longer terms so that skills development and community acceptance are not compromised by constant uncertainty about program continuance.

If those steps were taken, many more communities would likely embark on healing programs of their own design and begin approaching the achievements of First Nations like Hollow Water and Mnjikaning. If we also helped in the transfer of experience of such programs to others, program maturation might be accelerated.

I do not underestimate the enormity of that challenge, for it is in the very nature of Western bureaucracies that each agency has its own rules, its own definition of the job to be done, a fierce determination to maintain control and minimize the risk of program failure, and an inevitable sense of turf that makes it institutionally difficult to become partners in holistic approaches. It does not require bad faith or malevolence on the part of such agencies to resist a holistic approach, because the Western governance paradigm is clearly constructed upon reverence for segmentation, narrow specialization, and complete control. While nineteen agencies working separately in Toronto with separate chains of command, training, and confidentiality may be necessary, it is almost ludicrous to see nineteen healers in a community of five hundred, eight hundred, or a

thousand souls being prohibited from working together, especially when the root issue is the common experience of colonization trauma.

I suspect, however, that it will take a well-positioned champion like the Truth and Reconciliation Commission to convincingly demonstrate the inapplicability of that service-delivery paradigm to government and achieve an institutional willingness to shed it in favour of a holistic and coordinated response. It is not how we are used to doing business, but it is how we *must* do business with troubled First Nations if we are to enable them to create strategies of recovery from the damage we have inflicted.

THE TRUTH... AND THE WHOLE TRUTH...

At this stage, I want to mention a touchy subject. Whenever people identify residential schools as the *sole* cause of trauma and dislocation, I worry that this focus will cause us to miss *other* causes and so deal only with a *portion* of the real challenge.

I remember listening to a group of Aboriginal people in Alaska where there was no history of residential schools, yet their communities showed the same dislocations. In their view, everything began to unravel when Europeans brought new diseases that killed huge portions of the population, while the white man was unaffected. As they saw it, this told their ancestors that all the medicines and all the power of the medicine people had been illusory. Not only was the fabric of physical life fundamentally shredded by all of the deaths, but the core belief system was also shredded, and all notions of a coherent culture began to evaporate.

I have encountered many examples of troubled Aboriginal peoples around the globe with no history of residential schools. By coincidence, the June 2007 issue of Backpacker Magazine spoke of the Havasupai Tribe of the Grand Canyon who ascribe their social problems to the invasion of their sacred territory by tourism and to the disruption of those culturally critical relationships with place. The more I look, the more it seems that the collision of Aboriginal cultures with the culture of Western Europe has wreaked havoc almost everywhere, whether or not the dominant culture took the overtly colonizing step of creating residential schools to de-indigenize those populations. As a result, I think we do a disservice if we stop our examination of causes—and therefore of remedies—with residential schools. Until we learn the breadth of possible causes, we will miss things that need to be done, and it will be Aboriginal populations that continue to suffer.

One of the most powerful causes of cultural dislocation, in my view, is simple to express: a pervasive conviction of cultural superiority by the non-Aboriginal world. I see it expressed at every stage in our history together, manifesting itself in almost every dimension of our relations, right down to the determination of government agencies to control the content of healing programs proposed by Aboriginal peoples. And that takes me to the final challenge for any large-scale program of truth and reconciliation.

TELLING THE TRUTH ABOUT ABORIGINAL CULTURES

In my view, the public perception of the cultural inferiority of Aboriginal peoples, both historically and today, must be forcefully put to rest by clear demonstrations of cultural validity both then and now. While it may be understandable that European settlers, when they saw a comparative dearth of technological sophistication, assumed an absence of social and cultural sophistication as well, surely the time has come to admit how wrong that judgment was. Ironically, the very absence of preoccupation with the technological dimension may have given traditional peoples substantially more time to dedicate their curiosity and creativity to the social, psychological, and cultural dimensions instead, helping them achieve certain sophistications that, in my view, continue to elude the rest of us.

Exploring that possibility in a public way would contribute greatly to correcting historical misperceptions of cultural inferiority. Canadians should be aware, for instance, of David Bohm, a co-worker with Albert Einstein, who was so intrigued by the metaphysics of Aboriginal peoples (and the capacity of their languages to convey them) that he helped convene a series of “Science Dialogues” in Banff, Alberta, between quantum physicists and Aboriginal linguists, teachers, and philosophers from around North America. The fact that those two groups *understood each other* should be known to every school child in Canada. Better still, imagine a thirty-second television spot aired during the Stanley Cup playoffs where a respected physicist described how surprised he was by the sophistication of traditional understandings of the universe. It would reach huge numbers of Canadians—and likely blow them away!

Imagine another television spot where a respected historian describes how Thomas Jefferson based the American Constitution’s balance of powers on what he learned from Mohawk people. What if everyone learned what *Discover Magazine* has reported: that seventy-five per cent of all prescription drugs came from the discoveries of Aboriginal peoples? What if everyone heard an internationally recognized psychologist describe how fourteen hundred of his colleagues from around the globe gave a standing ovation to a one-hour

description of the insights of Aboriginal psychology, as happened recently in Montreal? Or heard a judge of Ontario's Superior Court of Justice describe how a similar standing ovation came from over three hundred of his colleagues when the same presentation was made to them? What if they heard that the large movement towards restorative justice across the Western world was not simply the result of Quaker initiatives, but came primarily from the justice perceptions of Aboriginal peoples, most especially the Maori people of New Zealand?

If those kinds of truths became part of the consciousness of every Canadian, Aboriginal and non-Aboriginal alike, would that make a difference for all of us? Most Canadians are familiar with at least some of the acclaimed *Historica Minutes* television spots—those “one-minute movies that portray exciting and important stories from Canada's past.”³ These include a few well-known entries: Louis Riel, Peacemaker, Sitting Bull, and the inukshuk as well as fourteen spots for our military history and six for sports out of the seventy-plus entries. Imagine the positive impact of a series devoted entirely to First Nations, Métis, and Inuit history and culture. If the *Historica* Foundation of Canada can sponsor a series of spots on Canadian history, can we not consider asking that the same educational generosity be extended to Aboriginal people in their effort to correct a historical misperception of such devastating social and cultural consequences? In the twenty-five years since I began exploring Aboriginal understandings of life, my own sense of the richness, complexity, and wonder of existence has been immeasurably expanded. If that can happen to me, it can happen to anyone.

So perhaps this too could be one of the challenges taken on by the Truth and Reconciliation Commission: setting the stage for true reconciliation by replacing the myth of cultural inferiority with the truth of cultural richness and diversity which, while severely damaged by every strategy of colonization, retain a sophisticated validity in today's world. And if we all absorb that truth and make it part of our daily consciousness, perhaps we can start building a relationship centred on the most important value of all: mutual respect.

It was not there in the past, and there is not nearly enough of it today, but it could be there in the future if enough people take up the challenge. I hope the foregoing is of assistance in articulating where the particular challenges lie and in the kinds of responses that might be considered to meet them.

I hope as well that the *urgency* of effective response becomes better understood by everyone because, as I earlier said, we are seeing far too many Aboriginal children harming themselves and each other, sometimes fatally. As communities

like Muskrat Dam, Hollow Water, and Mnjikaning have proven, we are not without the knowledge of how to turn things around. What is needed, from all of us, is the will.

NOTES

¹ Thomas Hobbes cited in Weingarten, H. (1990:27). *International Conflict and the Individual*. Center for Research on Social Organization, The Working Paper Series #422. Ann Arbor, MI: The University of Michigan. Retrieved 23 January 2008 from: <http://deepblue.lib.umich.edu/bitstream/2027.42/51189/1/422.pdf>

² “‘Elder’ – generally means someone who is considered exceptionally wise in the ways of their culture and the teachings of the Great Spirit. They are recognized for their wisdom, their stability, their humour, and their ability to know what is appropriate in a particular situation. The community looks to them for guidance and sound judgement. They are caring and are known to share the fruits of their labours and experience with others in the community. **The spelling of “elder” with a small “e” means a person who has attained a certain age**” [emphasis added] Aboriginal Healing Foundation (2007:3). *Style Guide for Research Studies and Literature Reviews for the Aboriginal Healing Foundation*, Revised.

³ Historica Foundation of Canada (no date). *Historica Minutes: First Nations*. Retrieved 7 December 2007 from: <http://www.histori.ca/minutes/section.do?className=ca.histori.minutes.entity.ClassicMinute>



Photo: Courtesy of Janice Longboat

CINDY BLACKSTOCK

Cindy Blackstock is a member of the Gitksan Nation who has worked in the field of child and family services for over twenty years. She began on the front lines as a social worker for provincial and First Nations family service agencies in British Columbia and is currently serving as executive director of the First Nations Child and Family Caring Society of Canada. This national organization supports First Nations child and family service agencies and regional organizations by providing research, professional development, and networking services.

Advocacy and policy analysis are essential components of Cindy's commitment to improving the child welfare system. She actively participated in two national child welfare policy reviews overseen by the Assembly of First Nations and Indian and Northern Affairs Canada and currently serves as co-convenor of the United Nations Sub-group on Indigenous Children and Young People and as a member of the board of directors for the Boys and Girls Clubs of Canada and the Canadian Education Association. In 2006, Cindy was the recipient of the Canadian Paediatric Society's Victor Marchessault Advocacy Award. She is one of the authors of a pioneering report on transforming child and family services—*Reconciliation in Child Welfare: Touchstones of Hope for Indigenous Children, Youth, and Families*—published in 2006.

Cindy called her contribution to this collection *Reconciliation Means Not Saying Sorry Twice: Lessons from Child Welfare in Canada*. It is a hard-hitting condemnation of structural problems in child welfare, the roots of which reach back into residential schools and the large-scale removal of Aboriginal children into care during the 1960s and 1970s. The consequences of inadequate funding, poorly defined policies, and jurisdictional disputes are elucidated in the story of a young child, Jordan, born with a complex medical disorder, who spent his short life in hospital while governments argued over who should pay for his at-home care. This tragic situation inspired *Jordan's Principle*, which calls on governments to meet the needs of the child first and then resolve the jurisdictional disputes later. Cindy is passionate about seeing this principle implemented throughout the country. She is encouraged that the House of Commons unanimously passed a private member's motion in support of *Jordan's Principle* in December 2007 and British Columbia became the first province to endorse *Jordan's Principle* in 2008.

RECONCILIATION MEANS NOT SAYING SORRY TWICE: LESSONS FROM CHILD WELFARE IN CANADA

A DEEPENING CRISIS

The number of First Nations children in care outside their own homes today is three times the number of children in residential schools at the height of their operation.¹ In February 2007, Minister of Indian Affairs Jim Prentice indicated that over nine thousand children from the on-reserve population were under the care of child welfare agencies, and the numbers had increased sixty-five per cent over the past decade.² A study of child welfare data from three provinces in 2005 found that one in ten First Nations children were in alternative care compared to about one in two hundred non-Aboriginal children.³ Overall, best estimates are that over twenty-seven thousand First Nations children on- and off-reserves in Canada are in care.⁴

The federal government funds child welfare services on reserve and, as reported by Indian and Northern Affairs Canada (INAC), “A fundamental change in the funding approach of First Nations Child and Family Services Agencies to child welfare is required in order to reverse the growth rate of children coming into care, and in order for the agencies to meet their mandated responsibilities.”⁵ The inadequacy of federal child welfare funding was reported in 2000 following a joint review conducted by the Assembly of First Nations and INAC,⁶ and yet seven years later, the inequities in federal child welfare funding persist and the number of First Nations children being taken into care by child welfare agencies continues to climb.

This paper reviews evidence of Canada’s failure to meaningfully redress inequalities in the treatment of vulnerable First Nations children and the impact of jurisdictional debates between federal and provincial governments on child and community well-being. The popular movement in support of *Jordan’s Principle*, putting children first when conflicts around financial responsibility arise, is described along with emerging guidelines for Aboriginal child welfare and child health services. The primary responsibility of child-serving professionals to implement child-first principles is underlined, particularly in light of professional collaboration with past intrusions on Aboriginal families. The paper concludes with an affirmation that putting children first must be a foundational principle for reconciliation in order to ensure the historic violations of children in the residential school system are not replicated.

WHY ARE SO MANY FIRST NATIONS CHILDREN IN ALTERNATIVE CARE?

A growing body of evidence supports the judgment that provincial/territorial child welfare systems have substantively failed First Nations children.⁷ Recognition of this reality was triggered in the 1960s by First Nation and Métis protests against large-scale foster care placement and adoption of their children. Media reports of abuse of children in placement, research sponsored by the Canadian Council on Social Development on the prevalence of placements, and a public inquiry led by Justice Kimmelman of Manitoba were all highly critical of the effectiveness of child welfare practices. Patrick Johnston in his 1983 publication *Native Children and the Child Welfare System*⁸ adopted the phrase the “Sixties Scoop” to describe the mass removals of Aboriginal children mainly fuelled by disproportionate poverty rates. Bilateral agreements between federal and provincial governments to extend child welfare services on reserve were made beginning in 1965, and, in some provinces, INAC entered into informal arrangements with bands and tribal councils to reimburse caregivers for the placement of children. The focus in these funding arrangements was on placement rather than preventive or rehabilitative family services. First Nations child and family service agencies developed in the early 1980s on the initiative of bands and tribal councils, pressing for more appropriate child welfare approaches. In 1990, INAC received Treasury Board approval for creating a national First Nations Child and Family Services Program.⁹ By 2005, INAC was funding one hundred and five Aboriginal child and family agencies.

Despite the significant questions about the efficacy of provincial and territorial child welfare laws, First Nations Child and Family Service Agencies (FNCFSAs) must operate in compliance with these statutes. FNCFSAs receive funding for on-reserve services from the federal government and, in some cases, they receive funding from the provinces where they are located to provide services off reserve. Some ask why two child welfare systems, one for First Nations and one for everyone else, are needed. The answer is that these children represent two very different populations, and treating them as if they were the same has contributed to the drastic overrepresentation of First Nations children in care.

In 1998, the Canadian Incidence Study on Reported Child Abuse and Neglect (CIS)¹⁰ was the first national study to confirm the differences between Aboriginal and non-Aboriginal children coming to the attention of child welfare authorities. This cross-sectional study describes the experience of children from the time they are reported to the child welfare authority to the point of case disposition, that is, the closure of the case, referral to other services, or child removal.

The 1998 and 2003 cycles of CIS found that First Nations children were drastically overrepresented in the child welfare system at every point of intervention *despite the fact that they were not overly represented for reports of sexual abuse, physical abuse, emotional abuse, and exposure to domestic violence.*¹¹ Moreover, higher rates of incidence of physical and emotional harm do not account for the overrepresentation of First Nations children.¹² There is also no evidence to suggest that differences in child functioning among First Nations and non-Aboriginal children account for the over representation of First Nations children in care. The only type of child maltreatment for which First Nations are overrepresented is neglect, fuelled by poverty, poor housing, and caregiver substance misuse.¹³

The child welfare system is designed to intervene at the level of children and their families, but the structural risks for Aboriginal children are primarily sourced at a societal level. The child welfare system supports only marginal efforts to address structural risks, and this has frustrated efforts to redress the overrepresentation of Aboriginal children in care.¹⁴ For example, in a poor family living in an unsafe or overcrowded house with a caregiver who has addictions issues, there is a high probability that neglect will manifest. Child welfare authorities will typically respond to this risk by making a referral to addictions programs, which often have long waiting lists, and to parenting skills interventions.

Although marginal improvements might come from the parent having better parenting skills, the degree to which parents can implement the knowledge will be compromised by the outstanding issues of poverty and poor housing. In fact, in many regions of the country, removal of a child or children from a family receiving income assistance actually exacerbates family poverty because it results in a reduction in the amount of income assistance received. The reduction in family income increases the risk of the family having to move to even less suitable housing, experiencing food insecurity and family stress.

Overall, child protection workers are not equipped with the training or resources required to adequately identify and address risks beyond those manifested at the level of the caregiver.¹⁵ For example, risk assessment models used by child protection workers in many regions of the country do not take into account risk that is sourced outside of the family. This raises the strong potential that child welfare authorities will hold First Nations parents primarily responsible to change structural risk factors that they have little ability to influence on their own. Having practiced child protection for over ten years on the front line, I believe unequivocally that parents should be held responsible for redressing the risk faced by their children, but only if they have the ability to influence that

change. If the risk is sourced at a societal level, then the child welfare system and other allied services must be held primarily accountable for redressing the risk.

Unless child welfare and allied social support services significantly reorient child welfare legislation, policy, and practice to adequately identify and address structural risks, we can expect the numbers of First Nations children in child welfare care will continue to rise.

IMPACTS OF FEDERAL AND PROVINCIAL CHILD WELFARE POLICY

The motivation for the current reconciliation initiative being discussed between Aboriginal peoples and the Government of Canada is anchored in the historical wrongs experienced by Aboriginal children during colonial and residential school eras. The revelations of individual and collective trauma inflicted on Aboriginal communities during these periods, marked by cultural subjugation and the forced removal of Aboriginal children, should compel learning for the federal government, a commitment to restitution for those who experienced it, and a commitment to avoid similar mistakes in future. In terms of children in child welfare care, the necessary response is seriously lacking.

When it comes to federally funded child welfare services on reserve, provincial legislation applies, but typically no provincial money is provided. The problem is that there is no link between the requirement to maintain provincially mandated standards of service and the federal funding formula. If the federal government chooses not to fund statutory child welfare services or funds them inadequately, the provinces rarely step up to make up the shortfall. The result is a “two-tiered” child welfare system.¹⁶

The Assembly of First Nations and INAC conducted the first joint review of the federal government’s child welfare funding formula in 2000 and found that First Nations children on reserve received approximately twenty-two per cent less child welfare funding than other children in Canada.¹⁷ The review, called the Joint National Policy Review (NPR), indicated a severe shortfall in funding levels for least disruptive services. All provincial/territorial child welfare statutes require social workers to offer families the least disruptive services that help families at risk to safely care for their children at home before considering removal. The shortfall in services offering least disruptive measures is further complicated by the lack of federal and provincial investments in voluntary sector resources for families on reserves. Research indicates that voluntary sector services such as food banks, literacy programs, recreation,

Though today’s youth did not experience residential schools first-hand, we have lived the experience through the heartache that has been consuming our peoples for our entire lives.

Julie Renee Bull
Student
Originally from Happy Valley-Goose Bay and a member of the Labrador Métis Nation

low-income housing, and domestic violence services routinely used by child protection workers off reserve to support families are rarely available on reserves. In fact, it is estimated that in 2003, First Nations received negligible levels of philanthropic funding for children, youth, and families as compared to over ninety billion dollars provided to other Canadians.¹⁸ Approximately sixty per cent of voluntary sector funding comes from provincial/territorial and federal governments,¹⁹ and therefore they are in a good position to re-target voluntary sector funds to ensure equal benefit for First Nations families. With the shortfall in voluntary sector supports and inadequate investment in least disruptive measures, removal is often the only option to resolve child safety concerns on reserves instead of the last resort.

The NPR contained seventeen recommendations for improvements to the federal government funding formula, including critical investments in least disruptive measures. Four years later, INAC had not implemented any new funding for First Nations child and family services and was making only negligible progress in implementing the recommendations. There was also no move to implement a recommendation to target federal voluntary sector funding to on-reserve families.

This lack of progress spurred a second, more detailed review of the funding formula in 2005 conducted by the First Nations Child and Family Caring Society of Canada for a joint committee of the Assembly of First Nations and INAC. The First Nations Child and Family Caring Society of Canada partnered with over twenty leading researchers in law, child welfare, economics, sociology, community development, substance misuse, information technology, and First Nations child welfare to produce a series of three reports documenting the structure of the formula, shortfalls in the current funding approach, and an evidence base for a detailed affordable solution.²⁰ These reports, collectively referred to as the *Wen:de* reports, have received unanimous support from First Nations by means of a resolution from the Assembly of First Nations as well as commendations from INAC.

Findings indicated that the current federal child welfare funding formula is inadequate at all levels with crucial underfunding of least disruptive measures services. The *Wen:de* reports proposed an additional federal investment of \$109 million in the first year of the formula, with comparable investments over the following six years, in order to bring First Nations Child and Family Service funding to a minimal level of comparability with non-Aboriginal service providers. The reports also reaffirmed an earlier recommendation to enhance the range of voluntary sector services by specifically targeting existing voluntary sector federal grants to on-reserve families. The \$109 million annual

... removal is often the only option to resolve child safety concerns on reserves instead of the last resort.

increment was proposed at a time when the federal government was posting a thirteen billion-dollar budget surplus.²¹

Despite the accolades that the reports received, the number of the *Wen:de* recommendations implemented by INAC in the subsequent two years has been negligible while, in the same period, INAC has introduced a number of funding policy changes that do not have a robust, publicly reported evidence base or cost analysis.

First Nations were faced with a dilemma: should they continue to talk to INAC in the hope of redressing inequities through implementation of jointly developed, evidence-based solutions? Or should they take stronger action? In December of 2006, the Assembly of First Nations' Chiefs-in-Assembly passed Resolution Number 53 giving authority to file a human rights complaint against Canada for inequitable child welfare funding, which the department acknowledged as contributing to the growing numbers of First Nations children in care.²²

In February 2007, the Assembly of First Nations, in partnership with the First Nations Child and Family Caring Society of Canada, filed a complaint with the Canadian Human Rights Commission alleging that Canada's conscious underfunding of First Nations child welfare was resulting in First Nations children receiving unequal benefit, which was in violation of child welfare legislation and the *Charter of Rights and Freedoms*.

JORDAN'S PRINCIPLE: RECONCILIATION IN ACTION

Inadequacies in federal child welfare funding are not the only problem. The quality of child welfare service is further undermined by poorly defined policies that have a discriminatory effect on First Nations children. Jurisdictional disputes within and between federal and provincial governments repeatedly deny or delay services to First Nations children on reserve because the federal and provincial governments cannot agree on who should pay for services.²³ The impacts of these jurisdictional disputes go far beyond frustrated bureaucrats to affect life and death decisions affecting First Nations children.²⁴

The case that has provoked widespread citizen response involved a First Nations toddler named Jordan who was born with a complex medical disorder to a family residing in Norway House Cree Nation in Manitoba. Jordan's family had to place him in the care of a child welfare agency shortly after birth, since that was the only way governments could pay for the services he needed. Jordan remained in hospital for two years until his medical condition stabilized

and doctors said he could be discharged to family care. Jordan's family and community had located a medically trained foster family and raised funds to refit a van so that Jordan could go to medical appointments and have family visits. Everything was prepared for Jordan's care. It should have been a time of celebration, but as Noni MacDonald and Amir Attaran note in the Canadian Medical Association Journal editorial, "bureaucrats ruined it."²⁵

A dispute arose between the governments of Manitoba and Canada regarding which government should pay for Jordan's at-home care. Government officials decided that Jordan should remain in hospital at almost twice the cost of at-home care while they resolved the payment issue. Jordan spent the next two years in hospital unnecessarily while government officials argued, and sadly he passed away before a resolution to the dispute was implemented, never having spent a day in a family home.²⁶

A study of 12 of the 105 First Nations child and family service agencies in 2005 found that 393 children were affected by payment-related jurisdictional disputes in the previous year. The vast majority of these disputes were between the federal and provincial governments or between departments of the respective governments.²⁷ The end result was that, almost without exception, services to First Nations children were denied or delayed until a resolution of the payment issue could be reached using a highly variable and inefficient "case-by-case" resolution process.

Inspired by Jordan's story and the frequency of the disputes across Canada, First Nations developed *Jordan's Principle*, a child-first principle for resolving jurisdictional disputes. *Jordan's Principle* applies in situations where government services are otherwise available to Canadian children and a jurisdictional dispute occurs within, or between, the federal and provincial/territorial government(s) around payment for services to a status Indian child. Pursuant to *Jordan's Principle*, when such a dispute happens, the government of first contact pays, and then the dispute is subsequently referred for resolution. In this way, the needs of the child are met still allowing for the jurisdictional dispute to be resolved.

Two years after First Nations called on the federal and provincial/territorial governments to adopt and implement *Jordan's Principle* without delay, there is only one government that has acted—Jordan's home community of Norway House Cree Nation.²⁸ At the time of Jordan's death in February 2005, Norway House Cree Nation resolved that no other child should be denied desperately needed services because of jurisdictional disputes between the provincial and federal governments. Doctors and specialists had diagnosed thirty-seven other

Jordan spent the next two years in hospital unnecessarily while government officials argued, and sadly he passed away before a resolution to the dispute was implemented, never having spent a day in a family home.

Norway House had to make a distressing decision, either to incur deficits to fund the services and risk charges of mismanagement or to place the children in foster care. They chose the former.

children in Norway House who required specialized medical, educational, and social support services, but despite Jordan's death, Manitoba and Canada were deeply enmeshed in jurisdictional disputes around the costs of caring for each of these children. Norway House Cree Nation decided to use their trust fund, established to compensate for flooding of their traditional lands, to provide for the special needs of these children and to avoid the necessity of thirty-seven foster care placements. For over two years, Norway House Cree Nation continued to pay for these children's services while working to resolve the jurisdictional issue between the federal and provincial governments.

In April of 2007, the flood trust monies ran out and Norway House had to make a distressing decision, either to incur deficits to fund the services and risk charges of mismanagement or to place the children in foster care. They chose the former. The children are with their families today because Norway House implemented *Jordan's Principle* as an example of good governance on behalf of their children; however, the decision is clearly not sustainable. The ongoing refusal of the provincial and federal governments to support these vulnerable children quite possibly amounts to a breach of the *Charter of Rights and Freedoms*, the *Canada Health Act*, and suggests moral bankruptcy.

There is some encouraging movement to report from the Parliament of Canada. In the spring of 2007, Member of Parliament Jean Crowder tabled a private member's motion affirming "That, in the opinion of the House, the government should immediately adopt a child first principle, based on *Jordan's Principle*, to resolve jurisdictional disputes involving the care of First Nations children."²⁹ The private member's motion received all-party support on the two occasions it was debated in the House of Commons and was adopted on 12 December 2007.³⁰ As encouraging as this is, a private member's motion creates only a moral imperative rather than a legal one. Monitoring implementation of *Jordan's Principle* will be required to ensure that the full intent is realized.

Unfortunately, as the Canadian Paediatric Society³¹ reports, no province or territory has adopted *Jordan's Principle* despite the fact that over fourteen hundred citizens and Aboriginal and non-Aboriginal non-profit, philanthropic, professional, labour, and corporate organizations, and Aboriginal governments have endorsed the initiative.³² The support of these organizations and individuals demonstrates the broad base of Canadian support for *Jordan's Principle* and the willingness of Canadians to join with First Nations to breathe life into the principles of reconciliation by putting children first. It is uplifting to see the ease with which Canadians understood and took action to support *Jordan's Principle*. Canadians have joined with First Nations to send their governments the message that depriving First Nations children of services

available to other Canadians on the basis of race and residency is a practice that cannot continue.

RECONCILIATION: A ROLE FOR CHILD AND YOUTH PROFESSIONALS?

While addressing resource inequities is important, a growing number of child welfare experts understand that the child welfare system itself will need to undergo radical change in order to rectify the overrepresentation of Aboriginal children in alternative care. Indigenous and non-Indigenous child welfare experts from Canada and the United States gathered in 2005 on the Territory of Six Nations of the Grand River to develop reconciliation principles and processes from which a new child welfare system for Aboriginal children could emerge.³³

Reconciliation conference delegates were united in the belief that the child welfare system, infused with the culture of its colonial founders, would have to engage in a process of reconciliation internally in order to better serve Aboriginal families. Delegates acknowledged that child welfare professionals needed to account for, and learn from, the history in which child welfare workers stood in silence despite public reports of child abuse and deaths in residential schools, served on residential school advisory committees, and directly placed Aboriginal children in the schools as child welfare placements when risks were identified in families.³⁴ As a profession, we need to confront our role in the mass removal of Aboriginal children from their families and communities during the 1960s with the goal of placing them on a permanent basis with non-Aboriginal families. Most importantly, social workers need to understand why, despite our good intentions, we are removing more First Nations children from their families than at any time in history.

The conference report *Reconciliation in Child Welfare: Touchstones of Hope* proposed a four-phase reconciliation process beginning with *truth-telling* before moving to *acknowledgement*, *restoration*, and finally *relationship*. These four phases needed to be centred on what were termed *Touchstone principles* for a newly supportive child welfare system for Aboriginal children. The touchstone principles are *self-determination, culture and language, holism, structural interventions, and non-discrimination*. They are constitutional in nature in that they are to be interpreted at a local level by First Nations, Métis, and Inuit communities to reflect the rich diversity of Aboriginal cultures, languages, and contexts in Canada.³⁵

Delegates at the conference also suggested that reconciliation processes and principles need to infuse all aspects of social work involving Indigenous peoples, from research to policy and practice. Reconciliation in the child welfare movement was, and is, an ambitious undertaking, but it is gaining momentum as growing numbers of social workers come to understand that modest changes to the current child welfare system are inadequate to address the long-standing overrepresentation of Aboriginal children in alternative care.

The reconciliation process in child welfare inspired a similar movement in child health called *Many Hands, One Dream*, led by eleven national organizations working in Aboriginal child health. As in the case of child welfare, this coalition believed that a new concept of child health, driven by Aboriginal peoples and embedded in a set of fundamental principles, is needed to restore the health and well-being of Aboriginal children. The resulting *Many Hands, One Dream* principles³⁶ are very similar to the principles presented in *Reconciliation in Child Welfare: Touchstones of Hope*. The two initiatives, in concert, provide an important basis to strengthen cross-disciplinary relationships across Aboriginal child and family serving professions. Initiatives are underway in both movements to centre professional training programs, research, policy, and practice on the principles.

As colonization had the most devastating impacts on Aboriginal children, it makes sense that professionals serving children and youth within and outside of government should be among the first to engage in the reconciliation process. We must do better for Aboriginal children, youth, and families—and we can.

IS CANADA READY FOR RECONCILIATION?

If the federal government's lacklustre efforts to fully redress inequities in child welfare funding are any indication, there are serious and important questions about the federal government's commitment and readiness to engage in reconciliation. Reconciliation is not just about saying sorry, it is about understanding the harm in a way that not only acknowledges the past but also leads to new awareness and commitment to avoid repeating the same mistakes in the future. Reconciliation requires not just *saying* the right thing but *doing* the right thing.

Ultimately, the federal and provincial governments' commitment and readiness for reconciliation will be judged by their actions, especially toward Aboriginal children. Will they provide equitable funding for services to children that respect solutions developed jointly by Aboriginal people and colleagues in the professions? Will they support and fully implement *Jordan's Principle*? Will

they say they are sorry for residential schools, but consciously contribute to another generation of Aboriginal children being unnecessarily removed from their homes? Canadians who believe in treating people with dignity, fairness, justice, and equality should pay close attention to the answers their political leaders give to questions such as these.

If the mobilization around *Jordan's Principle* is any indication, Canadians are ready for reconciliation. At no other time in history have governments and child and youth professionals had such an abundance of knowledge, tools, and resources to address inequalities that limit the lives of Aboriginal children. For child welfare and the federal and provincial governments—no more excuses—if we fail to make a positive difference for First Nations children now, the moral failure and the responsibility of saying sorry again will be ours.

Let us resolve to make a difference by putting children first. If reconciliation does not live in the hearts of children, it does not exist at all.

NOTES

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A SURVIVOR REFLECTS ON RESILIENCE

MADELEINE DION STOUT

My father holds the reins in his hands while my mother alights from the horse-drawn wagon. I fix my red-rimmed eyes on my mother's red tam—the splash of colour, the statement, the heartbeat, the moment.

Two hours later I am fighting for dear life. The parlour is stone cold; the benches knocked wood; the windows large and paned. I beg my mother and father not to leave me. I cry until my nose bleeds. Then and there colours fade. There is nothing left to say; hearts break and moments die. I surrender the loose change I'm left with to my superiors. I buy jawbreakers and black licorice pipes for a few weeks running. Strange is how they taste.

Colonization, healing, and resilience reveal themselves to me. As Survivors, we ride waves of vulnerability for a lifetime and for generations. We were subjected to real risk factors including hunger, loneliness, ridicule, physical and sexual abuse, untimely and unseemly death. As we struggle to throw off the shackles of colonization we lean heavily toward healing, and resilience becomes our best friend.

Today, triggers continue to work on my body, mind, and spirit but, ironically, they have given me a shot at life. My mother and father hoped they would; why else would they have loosened my desperate clutch on them in the parlour? Their resilience became mine. It had come from their mothers and fathers and now must spill over to my grandchildren and their grandchildren. If we truly believe the pain of the residential school legacy has had an intergenerational impact, then it necessarily follows that there will be intergenerational Survivors too.

I firmly believe that a lot of the healing began in residential school. I have asked myself and others, did I, did we, suffer uselessly in residential school? Like any hard question I have ever posed to my mother, her answer might have been *kiya nitānis*, which roughly translates to “reflect on it, my daughter.” The words spoken at this conference have driven me closer to home and have me reflecting on my good fortune. I have been wearing your messages like the blanket we were gifted with here.

I say that our healing began in residential school when I think of the times I lived second-hand love there. My grade four teacher, Miss Walker, spent as

much time watching out the window for her RCMP boyfriend as she did watching over us students. I recall vividly her sparkling, flashing blue eyes and her pretty blue nylon blouse—the splash of colour, the statement, the heartbeat, the moment. I also well-remember looking up to a window and catching an unmistakable aura of affection between a Cree woman who worked at the school and her Dene suitor. She was radiant as she beamed down on us from the window, large and paned, while he, strikingly handsome, beamed at her.

While I was deprived of love in residential school, I lived it second-hand to the fullest. Love literally filled my empty heart and soul, even though it was not rightfully mine. Second-hand love does save lives. Because of it, I can honestly say I began my healing journey in the most ungodly place. Healing is the mid-section of a continuum with colonization marking one end and resilience the other. Knowing what I know now, a large part of my response to being and becoming in an ungodly place was an act of resilience.

In the name of our best friend resilience, we can look forward to the future because we are very, very good at so many things. We are very good at wearing splashes of colour: we wear red tams as a tribute to our beloved ancestors, we display our Sundance flags, and we proudly wear our Métis sashes and our Northern prints, making a statement whether we talk “moose, geese, or fish.” We are very, very good at acting in a heartbeat in the most ordinary way at the most everyday level because as Survivors we help one another do the same. We are very, very good at living the moment while marking time by preserving residential schools as monuments, producing films about them, and working together to keep important healing work going.

In the name of our best friend resilience, we must give fervent thanks to our ancestors, our beloved Elders, and our Brothers and Sisters and for all the work in the service of healing that will surely be transformative when we look back.

Thank you, Merci, Hai hai!

This is an excerpt from Madeleine's remarks on 10 July 2004 to the Aboriginal Healing Foundation's National Gathering in Edmonton, Alberta. Madeleine is an independent scholar, author, researcher, and lecturer whose distinguished career includes serving as president of the Aboriginal Nurses Association of Canada and as founding director of the Centre for Aboriginal Culture and Education at Carleton University. She is currently Vice-Chair of the Board of the newly created Mental Health Commission of Canada.

SECTION 3
EXPLORING PATHS TO RECONCILIATION



Photo: Courtesy of Janice Longboat

JENNIFER J. LLEWELLYN

Jennifer Llewellyn is an associate professor at Dalhousie Law School and director of the Nova Scotia Restorative Justice Community University Research Alliance. She worked with the South African Truth and Reconciliation Commission and was a member of the Research Initiative on the Resolution of Ethnic Conflict at the Kroc Institute for Peace, University of Notre Dame. She advised the Assembly of First Nations on these issues during the Indian Residential Schools Settlement negotiations. She is currently drafting a National Restorative Justice Policy for Jamaica as a senior consultant for the United Nations Development Agency, and she is a member of the Restorative Justice Working Group of the Alliance of NGOs on Crime Prevention and Criminal Justice, a consultative body to the United Nations.

As suggested by the title *Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission*, this essay examines the potential gap between truth and reconciliation and suggests that the principles underlying restorative justice provide the necessary bridge. With respect to the goal of reconciling relationships, the author makes it clear that she is speaking of social relationships, not personal relationships. Restorative justice “is not about getting parties to hug and make up; rather, it strives to create the conditions of social relationships in which all parties might achieve meaningful, just, and peaceful co-existence.”

Jennifer brings her knowledge and experience with the South African truth and reconciliation process to the discussion. The South African commission identified different kinds of truth: factual or forensic truth; personal and narrative truth; social truth; and healing and restorative truth. While the factual approach to truth common within the legal system can strip away complexity and nuance, a focus on social truth and healing and restorative truth can transform social relationships. Jennifer’s contribution to this volume presents a strong argument in favour of viewing restorative justice as the compass needed to negotiate the winding road from truth to reconciliation.

BRIDGING THE GAP BETWEEN
TRUTH AND RECONCILIATION:
RESTORATIVE JUSTICE AND THE INDIAN RESIDENTIAL
SCHOOLS TRUTH AND RECONCILIATION COMMISSION

INTRODUCTION

The Indian Residential Schools Truth and Reconciliation Commission (TRC) is essential to achieving the holistic and comprehensive response sought through the *Indian Residential Schools Settlement Agreement*. The commission is tasked with establishing a full picture of the abuses of the residential school system and its legacy. The commission will provide an opportunity to more fully understand the nature, causes, and extent of the harms caused by the residential school system, including the context, factors, motives, and perspectives that led to and supported the system and the abuses that occurred within it. Through the commission processes, the truths about the residential school system can be told, made known, and understood. The commission will create spaces in which Survivors, their families, and communities can come together to share their stories, relate the harms they have suffered, and think about what is required to heal these harms and to create new relationships in the future.

The scope of the commission's mandate is essential to ensuring a holistic and comprehensive response to the abuses and legacy of residential schools. It is the vehicle through which the voices of all those involved in or affected by the residential school system can be heard. It is broadly focused on all the harms related to or flowing from the residential school system. As a result, it is well positioned to paint a comprehensive picture of the residential school system and its legacy. This will provide the necessary context to give meaning and legitimacy to the common experience payments and independent assessment process parts of the settlement. From this picture of the past, the commission will be able to recommend the way through to a future marked by new, reconciled relationships within Aboriginal communities and between Aboriginal and non-Aboriginal peoples.

It is this latter work that perhaps represents the commission's most significant role in the settlement. The primary aim of the settlement is to deal with past abuses and their legacy in a way that forges a brighter future founded upon new relationships embedded in mutual recognition and respect.¹ The burden of realizing this goal rests substantially with the Truth and Reconciliation

Commission (TRC), as its name suggests. If the commission is to succeed in its work and fulfill the ambitions of the *Settlement Agreement*, it must give serious and careful consideration to the meaning and work of reconciliation.

As the TRC begins its journey, it must figure out how to navigate the complex and difficult road of “truth” and map a course toward reconciliation. In doing so, it will face the substantial challenge that others who have travelled this path before have encountered: bridging the gap between truth and reconciliation.

This paper suggests that restorative justice may provide the bridge the commission needs to travel along the road from truth towards reconciliation. The principles and practices of restorative justice provide important direction and guidance for the journey upon which the commission has embarked. Restorative justice offers an important framework through which the commission’s mandate can be understood and undertaken. This paper considers the possibilities, opportunities, and challenges for the Indian Residential Schools TRC as a restorative justice institution.

RESTORATIVE JUSTICE AND THE MANDATE OF THE TRUTH AND RECONCILIATION COMMISSION

A quick read of the IRSTRC mandate provides some insight into the “truth” aspect of the commission’s work. The commission is charged with the responsibilities of statement-taking, historical fact-finding and analysis, report-writing, knowledge management, and archiving. Its mandate makes clear that the commission is not tasked with ascribing legal guilt or responsibility, but rather with establishing as clear a picture as possible of the residential school system and the experiences of those who survived it and live with its legacy. The commission is thus clearly charged with seeking the truth about residential schools. They are then tasked with ensuring this truth is widely known and understood. What is less evident from a reading of the commission’s mandate is what is entailed by the “reconciliation” part of its work. Indeed, neither the meaning nor means of reconciliation receive much attention in the mandate despite the hope reflected by its name that this body would be about both truth *and* reconciliation. The mandate simply states that:

Reconciliation is an ongoing individual and collective process, and will require commitment from all those affected including First Nations, Inuit and Métis former Indian Residential School (IRS) students, their families, communities, religious entities, former school employees, government and the people of Canada. Reconciliation may occur between any of the above groups.²

The community events are intended to address “the needs of the former students, their families and those affected by the IRS legacy;”³ thus, they are implicitly meant to be reconciliatory. But there is no specific attention paid to this goal or how it might be achieved. The clearest contemplation of how the commission might be about reconciliation is contained in the introductory statement: “*The truth of our common experiences will help set our spirits free and pave the way to reconciliation.*”⁴ This sentiment borrows from the South African Truth and Reconciliation Commission’s slogan “Truth. The road to reconciliation.” The South African commission’s slogan was an attempt to respond to the same concern that might be raised about the Indian Residential Schools TRC—that it is heavy on truth and light on reconciliation. The South African slogan does serve as an important and necessary temper on unrealistic expectations. It cautions that truth and reconciliation are not one and the same. Distinguishing the two also makes clear that while truth may be necessary for reconciliation, it alone is not sufficient. There is a road toward reconciliation, and truth is a fundamental part of the journey, but there are other steps to be taken along the way. The lesson of this slogan for the South African commission was clear. They could not promise nor be expected to produce reconciliation. Indeed, no one process or institution could achieve this goal. This same conviction underpins the description of reconciliation in the Indian Residential Schools TRC’s mandate as an ongoing process.

While this slogan may be a helpful caution it also has the potential to mislead and strand those who would travel the road to reconciliation. Successful journeying requires closer attention to the route from truth to reconciliation.

The journey from truth is not an easy one. Zapiro, a South African political cartoonist, reflected upon this challenge about the South African commission in this cartoon.⁵



Here we see Archbishop Tutu, the commission's chairperson, leading the way to the edge of a cliff labelled "truth." A huge gulf lies between "truth" and the other side, "reconciliation." Tutu examines the map desperately seeking a way through this impasse. This is a poignant illustration of the difficult task of bridging the distance between truth and reconciliation that also faces the IRSTRC.

I fear that it is not yet the right time. Not all Survivors are ready, and the churches may not be ready. Once the churches have paid off all the people their agents have harmed, then maybe the time will be right. It seems backwards, the approach, it is as if the victims are being asked to take the first steps to reconcile themselves with the perpetrators, and usually it is the wrongdoer who needs to step forward, to ask for forgiveness.

Susan Hare
AHF Board member
Ojibway
M'Chigeeng, Ontario

Many of the critiques of the South African Commission decried the sacrifice of justice it represented. Critics objected to the provision of amnesty and the failure to prosecute and punish that it entailed. In the process of responding to these 'justice critics,' the South African TRC came to realize that justice was indeed the missing piece in their work and what was needed to bridge the gap they faced between finding the truth and reconciliation. It was not, however, justice of the sort the critics had in mind that the commission discerned was needed, the justice of prosecution and punishment would not assist in their journey towards reconciliation. Instead, the Commission sought restorative justice.⁶ Restorative justice similarly offers an important framework for approaching the work of the Indian Residential School TRC. It is the missing piece along the road toward reconciliation.

Any bridge must pay close attention to the ground upon which it is anchored in order to plant a firm foundation for safe crossing. Restorative justice offers a clear picture of the nature of the ground on both sides of the bridge—of truth and reconciliation. It is also able to offer significant insight into the processes and mechanisms that are necessary to cross the gap between the two.

RECONCILIATION AS RESTORED RELATIONSHIPS

Restorative justice is a theory of justice that sees justice as concerned with the harms to people and relationships resulting from wrongdoing. Justice on a restorative account requires the restoration of the relationships harmed. Starting from a relational view of the world, restorative justice recognizes the fundamental interconnectedness of people through webs of social relationships. When a wrong is perpetrated, the harm resulting from it extends through these webs of relationship to affect the victim and wrongdoer and their immediate families, supporters, and communities. As a result, wrongdoing also profoundly affects the fabric of the society.⁷

Restorative justice resonates with and owes much to the insights of Aboriginal conceptions of justice.⁸ The resemblance between restorative and Aboriginal conceptions of justice is another factor to commend restorative justice to the Indian Residential Schools TRC. The work of the commission must respond

to and resonate with Survivors' sense of justice if it is to contribute toward reconciliation.

Doing justice in a restorative way requires attending to the full range of relational harms related to a wrongful act. On a restorative understanding of justice, the harms resulting from wrongdoing are most significantly harms to relationships. The harms suffered by individuals are not however insignificant. They must be identified, understood, and addressed if relationships are to be restored. Understanding the relational nature of the harms resulting from wrongdoing also provides context and definition to the harms individuals within those relationships have suffered.⁹

The aim of justice envisioned restoratively is to “restore” relationships between and among the parties involved to a state in which all parties are treated with equal concern, respect, and dignity. The quality of relationship sought by restorative justice is equality in these basic elements of human relationship that reflect our equal moral worth. These elements of relationship are the building blocks of peaceful and productive human relationships.¹⁰

The word “restore” also leads some to mistakenly hear restorative justice as a call for a return to the way things were before the wrong occurred. If this was the goal of restorative justice, it would be obviously problematic since there is seldom a prior state of equality to be restored. The goal of restorative justice is not a return to the past but rather the creation of a different future founded on relationships of equal concern, respect, and dignity.¹¹ The aim of restorative justice is thus to realize an ideal of human relationship. These elements of relationship are fundamental to peaceful co-existence and human flourishing.

Some misunderstand the focus on relationships and assume that the aim of restorative justice is the restoration of personal or intimate relationships. Such restoration, while not precluded by the idea of restorative justice, is not its goal. Restorative justice is concerned with ensuring equality in *social* relationships, not intimate relationships, between individuals. Social relationships are those relationships that result from the fact that we all exist in networks of relationships—some personal and intimate—but the great majority of which result from the fact that we share the same physical or political space. Restorative justice then is not about getting parties to hug and make up; rather, it strives to create the conditions of social relationships in which all parties might achieve meaningful, just, and peaceful co-existence. Restorative justice identifies respect, mutual concern, and dignity as the conditions of relationships that will assure such co-existence.¹²

The word “restore” also leads some to mistakenly hear restorative justice as a call for a return to the way things were before the wrong occurred.

The idea of restored relationships that animates restorative justice might help us achieve a better understanding of the reconciliation at which the Indian Residential Schools TRC aims. It is not reconciliation in the thick sense. It is not the stuff of greeting cards and intimate reunions for which the TRC strives, as this surely would be both inappropriate and impossible to achieve. Rather, what is meant by reconciliation in the context of the TRC is restored relationships of the sort restorative justice seeks. Reconciliation as the goal the TRC directs itself toward seeks a peaceful, productive, and just future in which Aboriginal and non-Aboriginal peoples live together with respect, dignity, and mutual concern for one another. The goal of reconciliation is then to restore relationships.

This understanding of reconciliation accords with the conviction expressed in the Indian Residential Schools TRC mandate that reconciliation is an ongoing process. If reconciliation is about restoring relationships, it is more akin to a process than an end point to be achieved. Relationships are dynamic and ever-changing. They require constant attention and adjustment in order to ensure that they reflect the values and qualities of equal respect, concern, and dignity. Establishing such relationships and then maintaining them will take ongoing commitment, time, and effort. Understanding this makes clear the contributions that a finite process like the Indian Residential Schools TRC can make to reconciliation. The commission will be able to lay the necessary foundation for such relationships by discovering the truth of past wrongdoing, its implications for relationships, and what will be required to address the related and resulting harm and equip parties to live together differently in the future. The commission might also make another significant contribution to reconciliation by providing an opportunity to bring the involved parties together in a process that reflects and models the values of reconciled relationships. Restorative justice principles and practices provide guidance and insights into how the commission might realize its potential in this regard.

RELATIONAL TRUTH

Understanding the goal of reconciliation through the lens of restorative justice also helps clarify the relationship between truth and reconciliation and how to bridge the gap between them. If reconciliation as restored relationships is the animating goal, then the role and nature of the truth that is to be sought by the Commission can be better understood. The commission's mandate is focused largely upon the work of finding truth. However, the absence of clarity about the meaning and goal of reconciliation makes it difficult to understand the motivation and parameters of this search for truth. From an understanding of reconciliation as restored relationships, one can work

back and ask what role truth plays in this goal and what truth is required. Restorative justice places significant weight on truth-telling as a necessary step towards restored relationships. It requires all parties to participate voluntarily in the hopes that they will be open to the process and willing to be truthful. The process is predicated upon parties telling their truths about the nature and extent of the harms they have suffered, their needs with respect to redress and recovery, their role and responsibilities for what occurred, and their capacity to assist in repairing the harms and restore relationships. It is also through the sharing of their truths that parties come to know and understand one another's experiences, perspectives, and needs. Such understanding is crucial to reconciliation.

While truth is important in restorative justice, and thus to achieving reconciliation, a search for *the* truth can actually impede restoration of relationships. Differing perspectives and experiences make the idea of one single identifiable truth on any matter problematic. Further, the search for and determination of *the* truth presents either/or choices that are more likely to be fractious than relationship-building. Reconciliation requires a truth that is able to contain the complexities borne by our interconnectedness and interdependence. A restorative approach makes clear that the goal of reconciliation will be best served by relational truth. This is not to be confused with the claim that all truth is relative. Relational truth is truth with all of its nuances and complexities. The legal system, one of the most familiar arbiters of truth, is called upon to make determinations with respect to guilt, culpability, or liability and, in that context, must often strip away the complexity of the truth and make a judgement about what part of the truth matters to resolve a conflict or controversy. But the Indian Residential Schools TRC is not charged with the same task as a court. Its concern and aim is reconciliation and, as such, it cannot afford to strip away or ignore the messiness or complexity of truth.

Finding relational truth requires the creation of spaces and processes in which truths can be told and heard and in which perspectives can meet one another head-on to challenge, integrate, and illuminate the truth about what happened, why it happened, and what are its implications. The South African TRC recognized the need to create space for different kinds of truth: factual or forensic truth, personal and narrative truth, social truth, and healing and restorative truth.¹³ Central to the commission's work were social truth and healing and restorative truth. These understandings of truth reflect the relational nature of truth central to restorative justice. Social truth as described by the commission references the way in which truth is to be found. Social truth is what emerges through dialogue and interaction with others. This is the kind of truth that the commission names as required for healing or restoration.

In the alternative dispute resolution process, you heard many times that the Survivors are tired of thinking about residential school and they do not want to live with the burden on their soul anymore.

*Susan Hare
AHF Board member
Ojibway
M'Chigeeng, Ontario*

What about the gap?
Even if you can walk
the path of truth
and you know where
reconciliation is,
how are you going to
bridge the distance
between knowing the
truth and achieving
reconciliation?

Healing and restorative truth is “the kind of truth that places facts and what they mean within the context of human relationships – both amongst citizens and between the state and its citizens.”¹⁴ The Commission recognized that its task was to:

help establish a truth that would contribute to the reparation of the damage inflicted in the past and to the prevention of the recurrence of serious abuses in the future. It was not enough simply to determine what had happened. Truth as factual, objective information cannot be divorced from the way in which this information is acquired; nor can such information be separated from the purposes it is required to serve.¹⁵

A restorative lens helps shed light on the nature of the truth the Indian Residential Schools TRC seeks and the sorts of processes and methods through which the truth is to be found if it is to advance the journey towards reconciliation.

RESTORATIVE JUSTICE: BRIDGING THE GAP

Through the lens of restorative justice the goal of reconciliation comes into focus and the nature of the truth that might be needed to pave the road to reconciliation is clearer. But the cartoonist’s taunt still hangs in the air. What about the gap? Even if you can walk the path of truth and you know where reconciliation is, how are you going to bridge the distance between knowing the truth and achieving reconciliation? Restorative justice principles and practice are instructive for those who seek to traverse this distance and offer building blocks for this bridge.

Restorative justice principles and practices will be important tools for the Indian Residential Schools TRC as they begin their work and design the processes and mechanisms through which they will carry out their mandate. Restorative justice, however, should not be looked to for ready-made institutional processes to simply adopt or employ. No matter how tempting, it would be unwise and problematic to do so from both a principled and practical perspective.¹⁶ Restorative justice is committed to the importance of flexible and contextually responsive processes. If such processes are to restore relationships among the parties concerned, it is essential that the context and circumstances be taken into account to shape the design and implementation of restorative processes. If the TRC is to embrace a restorative justice framework, it should look to the principles and elements of practice for guidance. It will also be crucial to

involve the parties concerned in designing the processes so that they reflect and meet their needs and circumstances.

RESTORATIVE JUSTICE PRINCIPLES

Restorative justice practices and processes bridge the distance between truth and reconciliation by providing opportunities for all stakeholders to come together and understand the nature and extent of the harms suffered and to plan for a way to address these harms with a view to establishing restored relationships in the future. The following restorative justice principles and practices might prove a useful guide for the commission on its path from truth toward reconciliation.¹⁷

- Restorative justice is forward-looking in its orientation. It is focused on the implications and consequences of a wrongful act for the future. Restorative justice seeks redress for harms with a view to creating the conditions for restored relationships.
- Restoring relationships requires attention to the particular wrongful acts at issue while paying careful attention to the context and causes of these acts.
- Restorative justice processes are inclusive, bringing together all those affected by wrongdoing and with a stake in its resolution. As a relational theory of justice, restorative justice recognizes the broad range of individuals, groups, and communities that might have been harmed by or have an interest in the resolution of a situation. The parties extend beyond the victim and wrongdoers to include communities of harm, communities of care and support, and the wider community/society.
- Restorative justice processes involve encounter between the parties involved. Such processes provide opportunities for dialogue aimed at the development of a shared understanding of the consequences and implications of a wrong and a common commitment to address the harms related to the wrong with a view to establishing different relationships in the future. Encounter provides an opportunity for parties to come to know and understand each other's perspectives and stories. It provides space for parties to work together constructively to envision and realize a better future. Significant work must, however, be done to prepare and equip parties to participate in an encounter. While encounters can make important contributions to the restoration of the relationships involved, there remains much work to be done after the encounter, namely, executing

the plan for restoration. This requires ongoing support and supervision as part of a restorative justice process.

- Restorative processes are democratic and participatory. Such processes must reflect the values of inclusion, respect, concern for others, and dignity that they seek to achieve in their design and operation. Each party must be invited and enabled to participate fully in a restorative justice process. Care must be taken to ensure that diverse and marginalized individuals and groups are included within processes where appropriate. It is important that power imbalances be acknowledged and addressed within the process, and that the legal rights of all parties must be respected within the process.
- Attention to context should be paid in both the design and implementation of processes aimed at restoring relationships. Such processes should also be *designed* through inclusive, dialogical, and participatory processes. The context will determine exactly which parties should be involved in a given process, and it will also determine the structure of the process itself, such as whether there needs to be a large-scale process at a national level or a smaller scale process addressing more localized wrongs. Context is also a key factor that must be taken into account for each process when designing the outcomes of restorative processes—that is, when determining what must be done to restore the relationships at stake. Inclusive and participatory design is also important so that processes are responsive to the context and to the needs of the parties. It also ensures that parties are committed to and invested in the success of the process.
- Restorative justice gives a more central role to victims than what the current justice system offers; however, it is not focused on them alone. It is also concerned with restoring the community and the wrongdoer in its bid to restore relationships. Focus on one party cannot come at the expense of the other, or the process will move further away from the goal of equality in relationships.
- Restorative justice processes are committed to restoration of relationships over retribution, to reintegration over isolation. Reintegration of wrongdoers, victims, and communities is essential to the restoration of relationships.
- Restorative justice recognizes the role of communities and society generally in both the creation and resolution of social conflict. Community involvement is thus essential to restorative justice processes. To that

end, restorative justice processes should be public. Communities should be involved in both the facilitation and operation of restorative justice processes and programs. They must also be included as parties within these processes with a stake in the outcome. The harm resulting from wrongdoing extends through the web of relationships to affect the immediate parties and those connected with them. This harm to relationships weakens the fabric of the communities involved and ultimately to societies. Restorative processes should thus involve members of the public as both participants and witnesses to the process. This is essential for restorative justice for the very reason the current justice system places value on public processes—it is important not only for justice to be done, but for it to be seen and known to be done. In the case of restorative justice, this is perhaps even more important given its aim of establishing restored relationships in society. Such processes should be public unless there is some overriding reason to keep them confidential. These reasons should be consistent with the principles of restorative justice. For example, if there is a likelihood of further or continuing harm to individuals or relationships if the proceedings are public, steps should be taken to protect the parties.

- Restorative justice processes must be voluntary for all parties. The task of restoring relationships—of treating others with respect, concern, and dignity—is not something that can be imposed upon individuals; rather, it requires a willingness to do so.
- Restorative justice requires that the wrongdoer accept responsibility for the act(s) at issue. While restorative justice requires that the wrongdoer acknowledge that he/she was involved and responsible for the events that occurred, the meaning, significance, and implications of these events can, however, be in dispute. Indeed, restorative justice processes are commendable for their ability to deal with the moral nuances and to achieve a full and relational understanding of the context, causes, and consequences of wrongdoing from which a plan to address it can be developed.
- Restorative justice processes should be aided by a trained facilitator(s) responsible for:
 - ✦ identifying the parties who should be included within the process;
 - ✦ preparing the parties for the encounter process;
 - ✦ guiding the parties through the encounter process and ensuring that the process reflects the values of relationship it seeks to achieve, namely, that all parties are accorded equal concern, respect, and dignity;

- ♦ identifying and addressing potential or actual power imbalances within the process;
- ♦ ensuring participation is voluntary at the beginning and throughout the process;
- ♦ ensuring diverse voices are included, heard, and respected within the process;
- ♦ protecting parties' legal rights;
- ♦ assisting the parties to set ground rules regarding participation in the process (norms about acceptable behaviour during the process); and
- ♦ ensuring fair and equitable participation by all parties in the process.

THE INDIAN RESIDENTIAL SCHOOL TRUTH AND RECONCILIATION COMMISSION: A RESTORATIVE INSTITUTION?

Restorative justice holds significant promise as a framework for the IRS Truth and Reconciliation Commission to structure and approach its work. Within this framework, the goals of truth and reconciliation can be understood and a route between the two forged. The commission has much potential as a restorative process; however, it will face some challenges when trying to bridge the gap between truth and reconciliation through restorative justice. This section identifies some of the issues that the commission will have to address in this regard.

ENCOUNTER PROCESSES

A restorative framework makes clear how important it is for the commission to involve inclusive and participatory encounter processes if it is to ascertain the truth in a way that will pave the way to reconciliation. The national and community events planned as part of the commission's work have the potential to fulfill this role. In order to play its necessary part in the work of truth and reconciliation, the commission should pay careful attention to ensuring that standards and principles for community events reflect the importance of inclusive, participatory, democratic, and dialogical processes. The same must be assured as the commission plans and implements the national events within its mandate. These national events need to create a forum for more than reporting the truth the commission has discovered. These events must also create space where the parties involved can encounter one another and where truths can be told, relational truth can emerge, and the journey towards reconciliation can begin.

People around the world are beginning to understand that this is the first TRC ever convened in a country not recently torn apart by war or some other tragic circumstance, so the eyes of the world are upon us.

Gina Wilson
AHF Board member
Algonquin
Ottawa, Ontario

Working toward reconciliation will require inclusion of all those involved or affected by the residential school system. Herein lies a potential challenge for the commission. Ensuring inclusivity may be difficult with respect to individual and institutional wrongdoers. Many of the individual wrongdoers are no longer able to participate in encounter processes either owing to ill health or because they are no longer living. The commission has no power to compel their participation in the process because participation is voluntary. This is in keeping with restorative justice principles. Voluntariness of the parties is essential to restorative processes since it is not possible to require or enforce restoration of relationships. There is no incentive in this case for individual offenders to take part as there is no exemption from criminal or civil liability. The commission will then have to consider ways to ensure that the truths that can only be accessed by these individuals are included within the process. Institutional wrongdoers are a slightly different case. They can be represented in the process and indeed may be able to counteract the absence of individual wrongdoers to some extent. However, despite the fact that they have secured immunity from civil suits out of the *Settlement Agreement* (at least in relation to the Survivors who choose to take part), they cannot be compelled to take part in the commission processes. As parties to the *Settlement Agreement*, though, the government and the church organizations have committed themselves to take part in the process and to provide access to documents and other information. It will be important for the commission to ensure that there is room for their participation and inclusion within encounter processes if reconciliatory goals are to be met.

The community and public are also important parties in restorative processes. The Indian Residential Schools TRC is clearly designed to present the truth to the public through events, education campaigns, the media, reports, and public archives. The public will thereby be witness to the abuses and legacy of residential schools. However, it will be important to engage communities and the public at a deeper level in order to work toward reconciliation. The mandate clearly provides avenues for the involvement of communities through community and national events. Engaging the non-Aboriginal public in the processes as parties and not simply witnesses will be more of a challenge for the commission. Nevertheless, it is an important one to address; it is through their engagement and involvement that the reconciliatory process might begin.

DESIGN PROCESS

The goal of reconciliation is more likely to be served through processes that not only adhere to restorative principles in operation but are designed through processes guided by restorative values. In particular, this requires planning

and design processes that involve and take into account the interests and needs of all those affected. That the commission is the result of a negotiated settlement process among the Assembly of First Nations, Inuit representatives, legal representatives for some of the Survivors, the federal government, and the various church organizations that operated the residential schools is an important start in terms of inclusive design. This settlement process alone, however, will not be sufficient if the commitment and satisfaction of all the parties to the commission process is to be assured. In the interest of reconciliation, the commission will have to be very intentional about ensuring inclusive and participatory design processes for the national and community events. Mechanisms to assure such participation in the community events already exist in the form of the Indian Residential School Survivor Committee (IRSSC), which will advise the commission on the principles and criteria for the community processes. The community processes will also be planned and implemented by communities in consultation with the commission. These processes will provide an opportunity for a high level of community participation in the planning stages of these events. These processes will not, however, engage the other parties involved in the design phase and thus may not provide space to develop relationships with other parties during the design phase. They are nevertheless an important and essential element of the commission's structure from the perspective of reconciliation. The commission should make broader use of the Survivor committee for consultation on other issues related to the commission's work, including the statement-taking processes, national events, archives, and the preparation of the report.

FUTURE ORIENTATION

The commission's mandate reflects the forward-looking orientation of restorative justice as it is charged with finding the truth in order to pave the way toward reconciliation. The commission is to look to the past in an effort to lay the foundation for a different future. The commission will face some challenges in fulfilling its forward-looking responsibility. First, the *Settlement Agreement* mandates that the commission will give its report two years into its five-year term. This report will follow the completion of the national events, but will be required while the individual statement-taking process and community events are ongoing. Given this timing, it will be a challenge for the commission to ensure that the insights and information flowing from these other processes are not lost. If the commission is to be forward-looking in its orientation, then the individual statement-taking process and community events must have some means of communicating what has been learned about the past and the implications for the future.

Another challenge relates to the nature of the commission's powers. The commission is only empowered to report what they find and make recommendations about what should be done in response. Further, they are to limit themselves to recommendations on matters other than personal compensation. Compensation is dealt with through the common experience payments and individual assessment process portions of the agreement. This is an atypical ordering of things as far as previous experience with truth commissions is concerned. Typically, truth commissions precede and then recommend the terms of individual compensation. In the case of the Indian Residential Schools TRC, the terms of such compensation are already set by the *Settlement Agreement* and, in all likelihood, will be substantially distributed by the time the commission issues its report and recommendations. While this is not the standard order of things, it is not necessarily problematic. Indeed, the provision of compensation to Survivors of residential schools may serve as an acknowledgement of responsibility and indicates a willingness to participate in good faith in truth and reconciliation processes.

What will be a problem is if the individual compensation already provided for is viewed as the sum total of the reparation required to address the harms related to and resulting from residential schools. Without a serious commitment by government and others to act upon the recommendations of the commission with respect to what is required to address the harms and restore relationships, the cause of reconciliation will be seriously hampered. The individual compensation provided through common experience payments is a significant part of reparation, but this alone is insufficient to repair the harms of residential schools. This does not address the harms to communities and future generations. Further, individual compensation can only go so far to address the non-material harms caused by residential school abuse and its legacy. The commission is charged with understanding these harms in their fullness and recommending a response. Such a response will include, among other possibilities, reparations for communities and others affected by the legacy of residential schools, commemorative actions, and education plans and programs.

It will also pose a significant hurdle in the bid for reconciliation if the commission approaches its work with a view to bringing final closure to the issue. If the commission seeks to write the final chapter on residential schools with the intention to bury the issue once and for all, the cause of reconciliation could be seriously hampered. The truth the commission finds will aid in the work of reconciliation only if it is made known, understood, and responded to. Thus, it is important that the commission recommend ways forward that respond to the harms related to and resulting from residential schools. It is

Typically, truth commissions precede and then recommend the terms of individual compensation.

equally important for these recommendations to be acted upon by those with the power to do so. The truth commission report cannot be taken as an end in and of itself. If the truth is told and goes without response, this might result in further harm to the relationships involved. A restorative lens helps make clear the necessity for the commission to make plans for reconciling relationships in the future. The commission cannot hope to achieve reconciliation within the span of its five-year mandate; thus, its work must be about preparing and equipping people for the journey that must be walked into the future.

CONCLUSION

The Indian Residential Schools Truth and Reconciliation Commission will play a key role in providing a holistic and comprehensive response to the experience of residential schools and its legacy. In order to realize its full potential, the commission must figure out how to travel the road from truth to reconciliation. Restorative justice provides an essential guide for this journey. Through its lens, the starting point and the ultimate destination of the journey can be identified and the mode and means of travel can become clear. The commission will face significant challenges along the road, but its efforts will pave the road toward reconciliation for Canada and serve as a compass for others around the world that will try to travel this same road in the future.

NOTES

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² IRSRC (2006:1).

³ IRSRC (2006:9).

⁴ IRSRC (2006:1).

⁵ Zapiro (1997). *The Hole Truth: Cartoons from the Sowetan, Mail & Guardian, and Cape Argus*. Cape Town, SA: David Philip Publishers.

⁶ Truth and Reconciliation Commission of South Africa (1998). Volume 1: Truth and Reconciliation Commission of South Africa Report. Cape Town, SA: Juta & Co. Press.

⁷ Llewellyn, Jennifer and Robert Howse (1998). *Restorative Justice – A Conceptual Framework*. A paper presented to the Law Commission of Canada [unpublished]; Llewellyn, Jennifer (2002). *Dealing with the Legacy of Native*

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⁸ Llewellyn (2002).

⁹ Llewellyn and Howse (1998); Llewellyn (2002).

¹⁰ Llewellyn and Howse (1998).

¹¹ Llewellyn (2002); Llewellyn, Jennifer (2007). Truth commissions and restorative justice. In G. Johnstone and D.W. Van Ness (eds.), *Handbook of Restorative Justice*. Devon, UK: Willan Publishing: 351–371.

¹² Llewellyn and Howse (1998); Llewellyn (2002); Llewellyn (2007).

¹³ Truth and Reconciliation Commission of South Africa (1998).

¹⁴ Truth and Reconciliation Commission of South Africa (1998:114).

¹⁵ Truth and Reconciliation Commission of South Africa (1998:114).

¹⁶ Llewellyn (2007).

¹⁷ For a full discussion of these principles see generally: Llewellyn and Howse (1998); Llewellyn, Jennifer and Robert Howse (1999). *Institutions for Restorative Justice: The South African Truth and Reconciliation Commission*. *University of Toronto Law Journal* 49(3):355–388; Llewellyn (2002); Llewellyn, Jennifer (2004). *Doing Justice in South Africa: Restorative Justice and Reparations*. In C. Villa-Vicencio and E. Doxtader (eds.), *Repairing the Unforgiveable: Reparations and Reconstruction in South Africa*. Cape Town, SA: David Philip Publishers/ New Africa Books: 166–183; Llewellyn, Jennifer (2006). *Restorative Justice in Transitions and Beyond: The Justice Potential of Truth-Telling Mechanisms for Post-Peace Accord Societies*. In T.A. Borer (ed.), *Telling The Truths: Truth Telling and Peace Building in Post-Conflict Societies*. University of Notre Dame, IN: Notre Dame Press: 83–114; Llewellyn (2007).



Photo: Courtesy of Janice Longboat

ROBERT ANDREW JOSEPH

Robert Joseph was the second Māori in New Zealand—and the first Māori male— to graduate with a PhD in Law. He graduated from the University of Waikato in 2006. He has served as senior legal researcher and research fellow at the university's Te Mātāhauariki Research Institute since 1998.

Robert's research interests are many and varied: Canadian Indigenous studies; the interface of traditional Māori knowledge systems and western science; dispute resolution processes, particularly with respect to resolving disputes between different cultures; and Māori history and its interface with the Anglican, Catholic, Mormon, Wesleyan, and Methodist churches. He is currently writing a biography of his paternal tupuna (ancestors), who fought at the famous 1864 Battle of Orakau during the Waikato Wars. As part of his research on Indigenous self-governance models and contemporary treaty settlements, Robert travelled extensively throughout Canada and the United States to meet with Aboriginal people.

In his article, Robert discusses reconciliatory justice and its potential to make a meaningful contribution to the reconciliation process being contemplated in Canada. He begins with an enlightening discussion of the politics of denial, elaborating the multiple ways in which individuals, governments, and institutions can repress disturbing information or neutralize its implications. He annotates eight steps in the reconciliatory justice process, and the examples he provides from New Zealand's Waikato-Tainui Claims Settlement are informative and relevant to the Canadian situation. In his conclusions, Robert highlights the similarities between the Canadian and New Zealand experience:

Both Canada and New Zealand are engaged in confronting the legacy of their colonial history, acknowledging massive violations of human rights, seeking resolution of long-standing land claims, and making reparation for injuries that reverberate through successive generations of Indigenous peoples.

He concludes with a reminder that while similarities may exist, solutions are not necessarily transferable, nor should they be. Still, a great deal has been presented in this thoughtful article by an informed scholar for Canadians to learn from and reflect upon.

A JADE DOOR:
RECONCILIATORY JUSTICE AS A WAY FORWARD
CITING NEW ZEALAND EXPERIENCE

*He whakahou rongu wahine he tatau pounamu ... A peace arranged by
a woman is a greenstone door [Māori Proverb].¹*

INTRODUCTION

Greenstone (jade) was highly valued in New Zealand because it was durable, beautiful, and precious. Greenstone is found only on the West Coast of the South Island and was used as a means of exchange. In times of trouble, peace could be secured by ending warfare through a political marriage. Peace, thus established, was often likened figuratively to a greenstone door as both the woman and the peace ceremony were seen to be durable, strong, and valuable.

Some conflicts and injustices span the duration of a political regime, a war, or a historical era while others persist much longer. The gross mistreatment of Indigenous peoples in New Zealand, Canada, and other countries has lasted some two to five hundred years, depending on the population and their particular history. Not only have these situations spanned remarkably long periods of time, they have also covered a wide range of harms and injustices, including deprivation of life, sustenance, liberty, land, culture, language, religion, and development.

The appropriate and effective resolution of Indigenous peoples' grievances in New Zealand and Canada is complex and challenging, demanding more than legal-commercial transactions. Often, Indigenous peoples are seeking a new relationship based on authentic power-sharing and recognition, validation, preservation, and development of their cultural way of life in an updated twenty-first century context. The kind of development advocated is described by Indian economist Amartya Sen,² which is a development that brings with it the freedom to individuals and peoples to develop their capabilities, including, most importantly, the capability to be themselves.

This paper proposes that reconciliatory justice can make a fundamental contribution to achieving the desired outcomes to a process of reconciliation between parties. Reconciliatory justice requires an ongoing commitment to future peace-building, sustained in deeds and not just words. It provides a process for appropriately addressing past grievances, for exploring future relationships, and for overcoming a culture of denial. Reconciliatory justice

empowers Indigenous peoples with space, place, and resources for reconciliation and sustainable development, potentially creating a “greenstone door” to durable, respectful relationships among peoples.

Denial of historic wrongs in post-colonial societies is a major obstacle to initiating processes to achieve a new relationship. Elaboration of the many forms that denial assumes is presented as background to the discussion of essential components of reconciliatory justice. Reference to the Waikato-Tainui historic *raupatu* (land confiscation) grievance in New Zealand is woven throughout the paper as a case study to illustrate the lengthy pursuit of justice in a New Zealand context. Waikato-Tainui is a Māori tribe whose territory is in the central North Island area of New Zealand. In 1864, following a number of battles with the British, 1.2 million acres of fertile Waikato-Tainui land was confiscated, for which historic injustice the people of Waikato-Tainui have been seeking redress ever since.

This study is offered as a resource in conceptualizing a way forward as the Canadian Truth and Reconciliation Commission is launched, pursuant to the *Indian Residential Schools Settlement Agreement* that was implemented in 2007.

THE POLITICS OF DENIAL

Denial is a process by which people block, shut out, repress, and cover up certain forms of disturbing information or evade, avoid, and neutralize the implications of this information. Stan Cohen provides an authoritative classificatory framework for analysis of multiple forms of denial.³

Literal denial is an assertion that something did not happen or is not true. The facts of the matter are being denied: there was no massacre, they are all lying, and we do not believe you. Common to all such assertions is a refusal to acknowledge the facts. A contemporary example is the revisionist historical views of some regarding the annihilation of European Jewish people, which dismiss the entire event as a hoax or a myth.

Interpretive denial does not necessarily deny the raw facts, but gives them a meaning different from what seems apparent to others. Thus, government officials responding to allegations about injustices to Māori or First Nations might claim that nothing happened or something did happen but this is not what you call it. What happened is the “transfer of populations,” not forced expulsion, or “moderate physical discipline,” not abuse. In all cases, by changing words, using euphemisms or technical jargon, the observer disputes

the cognitive meaning given to an event and reallocates it to another class of event. A further ploy of the revisionist movement with its holocaust denial is a combination of both literal and interpretive denial: it did not happen, it happened too long ago to prove, the facts are open to different interpretations, and what happened was not genocide.

A poignant example in New Zealand was the national controversy over the use of the term holocaust by the then-Associate Māori Affairs Minister, Tariana Turia, to the Psychological Society in Hamilton in 2000. Turia stated:

What seems to not have received . . . attention is the *holocaust* suffered by indigenous people including Maori as a result of colonial contact and behaviour.⁴

Turia's speech caused a political storm when it was interpreted as comparing Māori experience of colonialism to the Jewish holocaust of the Second World War.⁵ Mason Durie affirmed that although "the term 'holocaust' might grate on the NZ psyche, 'when you think the population of 200,000 Maori in 1840 was reduced to 42,00 [sic] in 1900, that's pretty close to a holocaust.'"⁶

Implicatory denial does not attempt to deny either the facts or the conventional meaning they are given. The observer denies, rather, the psychological or moral implications that might follow from the facts. Any obligation to make a moral response is evaded by justification (they are getting what they deserve) and/or indifference (I know what's happening but it does not bother me) to various forms of accommodation and normalization: "that's just what happens in places like that."⁷

There is an obvious difference between those forms of denial that are personal, psychological, and private and those that are shared, collective, and organized. Cohen describes three possibilities:

Personal denial appears to be a wholly individual reaction or at least an action that can be studied at the psychological level, for example, alcoholics and drug addicts refusing to acknowledge their dependency. Personal denial may be termed as a psychological way of coping with disturbing knowledge.

Official denial is public, collective, and highly organized. In more totalitarian societies, such official denial extends from particular incidents of human rights violations to an entire rewriting of history. Denial is not a private mechanism; the state has made it impossible or dangerous to acknowledge the existence of past and present realities. In more democratic societies, official denial is

*Who is going to tell their truth?
How much more do Aboriginal
peoples have to say to convince
Canadians that wrongs have
been done? Canadians should
go to the TRC and say, "Yes,
tell the truth about the history of
Canada."*

*Viola Robinson
AHF Board member
Mi'kmaq
Truro, Nova Scotia*

Denial ... is not a personal matter but is built into the ideological fabric of the state.

more subtle, involving, variously, a twisting of the truth, a setting of the public agenda, managing news releases in the media, and selective concern about some victims but not others. Denial here is not a personal matter but is built into the ideological fabric of the state. The study of Indigenous peoples' rights and grievances is simultaneously a study of the official techniques that are used to deny these realities, not just to observers but also often to perpetrators themselves.

An example of organizational denial in New Zealand was in the 1926 Sim Royal Commission that examined the *raupatu* land confiscations of the 1860s.⁸ The commission was prevented from inquiring into questions of the lawfulness of the *raupatu* land confiscations and from considering the *Treaty of Waitangi* (1840), one of the founding documents of New Zealand. Consequently, the Sim Commission found that the land confiscations were not unjust in themselves, but that they had been excessive, an indication of the extent of official denial at the time.

Cultural denial is a form of denial that is neither wholly private nor officially organized by the state. Whole societies slip into collective modes of denial not dependent on a totalitarian and coercive form of thought control. Without being told what to think about, and what not to think about, and without being punished for knowing the wrong things, societies arrive at some unwritten agreement about what can be publicly acknowledged. This happens more often in democratic societies.⁹

The classic case of cultural denial in Australia was the prevailing colonial doctrine of *terra nullius*, which advocated that countries without political organization, recognizable systems of authority, or legal codes could be legitimately annexed because the country was a territory with no sovereign authority where no land tenure system of any sort existed. This collective cultural denial was not officially challenged until the 1992 High Court decision of Australia in *Mabo v. Queensland*.¹⁰ The High Court reinterpreted the Australian common law property regime by ousting the previously relied upon fiction of *terra nullius*. Legal precedents do not necessarily change attitudes, however, and a culture of denial is still prevalent in Australia, reinforced perhaps by rejection of the implications of recognizing historic Indigenous rights. The former chief justice of Australia, Sir Harry Gibbs, is reported to have said:

One can only conjecture, for example, what effect might be given in legal proceedings to the presumption that Aboriginal peoples were the original occupiers and custodians of Australia.¹¹

On 26 May 1997, then-Prime Minister John Howard gave a public, personal apology to the Aboriginal people for the injustices of past generations, but then went on to say that Australian history was not one of imperialism, exploitation, and racism.

Another example of cultural denial is the attribution of contemporary Indigenous socio-economic conditions and cultural pain to Māori and First Nations laziness, inability to cope with the modern world,¹² or even to some genetic inferiority rather than seeing them as a consequence of land and culture loss, abuse in schools, and diminution of traditional values and institutions. This denial of the connection between past injustice and present disadvantage is a form of *historical denial*.

Historical denial is particularly powerful when it is combined with official denial sanctioned by the state. The classic example in New Zealand was the 1877 case of *Wi Parata v. Bishop of Wellington*, in which Chief Justice Prendergast held that on the foundation of the colony, Māori were without any kind of civil government or any settled system of law, notwithstanding evidence and case law to the contrary. The decision held that Māori were primitive barbarians with no body politic capable of granting cession in the *Treaty of Waitangi* 1840, which Prendergast deemed a simple nullity.¹³ In light of this precedent, the New Zealand judiciary had no jurisdiction to entertain any Māori claims and grievances based on the *Treaty of Waitangi* until the *Treaty of Waitangi Act* 1975 signified that the political and legal culture of denial articulated in *Wi Parata* was over, at least in official discourse.

One final observation on denial must acknowledge the manifestations of denial common within Indigenous communities. In his seminal work, Paulo Freire discussed why people often internalize oppressive values.¹⁴ Freire theorized how oppressed peoples struggle for their liberation and, in the process, internalize the image and the guidelines of their oppressor. In her famous speech of 2000, Tariana Turia referred to Indigenous peoples suffering from the trauma of colonization, which she branded post-colonial traumatic stress disorder. Turia asked people to consider the continuing oppressive effects of colonization and the various forms it has taken, including oppressing one's own people. Indigenous people, therefore individually and collectively, like the colonizers, need to overcome the politics of denial within their communities if they are to engage fully in processes of reconciliatory justice.

RECONCILIATORY JUSTICE

Reconciliatory justice as a concept and model of practice endeavours to reframe conflict and grievances so that parties are no longer preoccupied with that which divides them. As a locus, reconciliatory justice creates space for encounter where diverse but connected concerns driving conflicts and grievances can meet and be reconciled. The primary goals are to seek innovative ways to address, integrate, and embrace the painful past and to imagine a shared future. To be sustainable, reconciliation must be based on society-wide networks and mechanisms that promote restoration, reparation, and the rebuilding of appropriate relationships to empower the powerless.

Jean Paul Lederach proposes that key concepts of truth, mercy, justice, and peace provide a framework for understanding the process of peace-building through reconciliatory justice.¹⁵ Reconciliatory justice provides a place for truth and mercy to meet, where exposing harsh realities is balanced with acceptance and even forgiveness to permit renewed relationships. The need to give time and place to justice, redressing wrongs, and peace to envision a common connected future is recognized. Reconciliatory justice as a paradigm thus develops relationships that will provide new ways to address impasses on issues, with space for grieving the past and achieving reorientation toward the future. Reconciliatory justice creates new lenses for dealing with the past, present, and future. In the case of Indigenous peoples residing within democratic states, the observation of Canadian Chief Justice Lamer is pertinent: “Let us face it, we are all here to stay.”¹⁶

JUSTICE AS PROCESS—NOT AN EVENT

Concretely, doing reconciliatory justice can be distilled into at least eight giant steps along the path of reconciliation. Among other things, my suggestions here serve to highlight that achieving reconciliatory justice between the nation-state and Indigenous peoples is a process, not an event, and a dynamic and fluid one at that. Such processes never end; forgiveness and peaceful co-existence may be achievable, but as Paul Havemann asserts: “to forget the past is to run the risk that the culture of denial will reassert itself and allow history to repeat itself.”¹⁷ The process and outcome must therefore assist to overcome the politics of denial, to empower the powerless, and to establish a new, more appropriate relationship based on development as freedom, among other things. The eight key steps for accomplishing reconciliatory justice—the promotion of social justice through reconciliation—include:

Reconciliation is part of a package that includes apology, forgiveness, compensation, reconnecting, recognition of Aboriginal title, revenue sharing, cultural connectedness, and guarantees that Aboriginal people are able to stay on the land in perpetuity.

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1. Recognition: truth-finding and telling of the injustices;
2. Responsibility: the acknowledgement of responsibility for injustices;
3. Remorse: a sincere apology for injustices;
4. Restitution: the return of Indigenous lands and resources and power to determine their uses;
5. Reparation: recognizing that many harms are untouched by compensation that addresses injustices in financial terms;
6. Redesign of state political-legal institutions and processes: empowering Indigenous peoples to participate in their own governance and the government of the state;
7. Refrain: the assurance that past injustices and similar present and future injustices will not be repeated; and
8. Reciprocity: the obligation on the harmed to do unto others as one would have them do unto you.

RECOGNITION: TRUTH-FINDING AND TRUTH-TELLING

Hearing testimonies of suffering and systemic injustice, preferably in direct encounters, should trigger moments of truth. It is during these moments that human beings should be motivated to genuinely utter “it is wrong” and to see the demands of justice in a new light. Through the feelings of shame that are generated, a moral responsibility for what went wrong in the past may be acknowledged. Perpetrators and, later, those who engage in denial need to understand what they have done, to whom, and with what subsequent effects. No matter how painful, truth-telling and truth-hearing are the first steps and fundamental requirements for reconciliatory justice and the reconstruction of society based on peaceful co-existence. The question of what to do about what happened in the past can then be addressed.¹⁸ One important justification for amicably settling such grievances today is that, among other things, those who continue to benefit from past injustices on the backs of Indigenous peoples are vicariously liable.

The Waitangi Tribunal, established in 1975, is New Zealand’s Truth and Reconciliation Commission. As an institution, it has played a crucial role in the truth-finding and truth-telling stages of Maori claims and in the settlement of *Treaty of Waitangi* grievances. The Tribunal processes downplay adversarial approaches to advance truth-finding, and the Tribunal Reports serve as documents for truth-telling in the public discourse, addressing legal, cultural, and historical matters.

The *Waikato Raupatu Claims Settlement Act 1995* (WRCSA) is the outcome of a long process of truth-seeking and truth-telling through various petitions

It is during these moments that human beings should be motivated to genuinely utter “it is wrong” and to see the demands of justice in a new light.

Acknowledgement is
the cure for denial.

and deputations,¹⁹ including the 1926 *Sim Commission*, the *Waikato-Maniapoto Claims Settlement Act 1946*, the 1985 *Report of the Waitangi Tribunal on the Manukau Claim*,²⁰ and the judgment of the New Zealand Court of Appeal in *Tainui Māori Trust Board v. Attorney-General*.²¹ Commenting on the “Preamble” of the WRCSA, the Waikato-Tainui legal advisor, Shane Solomon, noted:

What will be achieved ... is to get into the public record the real history of what happened to Waikato during the years before the wars, the effect of that war on our people and the results of the land confiscations.²²

RESPONSIBILITY: ACKNOWLEDGEMENT

Acknowledgement is decisive in the reconciliation dynamic. The truth, the facts, and the subsequent effects of the unjust action or inaction are acknowledged. Acknowledgement is the cure for denial. It is one thing to know, yet it is a very different social phenomenon to acknowledge. Acknowledgement through hearing one another’s stories validates experience and feelings and represents a significant step toward restoration of the injured person and the relationship. Acknowledgement is what happens when private knowledge becomes officially sanctioned and enters into the public discourse. This is often what people want in the truth and acknowledgement phase of reconciliatory justice—not new information but some public recognition of what is already known.²³ Through acknowledgement, dominant groups are induced to recognize and confirm past and present injustices. Particular negative emotions aroused by naming, blaming, and shaming can lead to steps being taken to make things right. Indeed, as Bruno Bettelheim commented, “What cannot be talked about can also not be put to rest; and if it is not, the wounds continue to fester from generation to generation.”²⁴ If the reassertion of denial can be deflected, then comes the recognition of the possibility of doing justice and not just talking about it.

Solomon, representing Waikato-Tainui, heralded that “Our history will now be publicly acknowledged.”²⁵ Accordingly, the preamble of the WRCSA acknowledges the history of the people of Waikato-Tainui in their quest for justice, and it records the detailed steps of the Crown in a litany of unsatisfactory outcomes from the petitions of the 1860s onward. The New Zealand Crown specifically acknowledged in the WRCSA that it unjustly invaded the Waikato,²⁶ initiated hostilities against the Kingitanga (Waikato-Tainui’s political movement of the 1850s), unjustly confiscated approximately 1.2 million acres of land from Waikato-Tainui *iwi* (tribes), and set in motion effects of the *raupatu* land confiscations that have lasted for generations.²⁷ The WRCSA outlines the Crown acknowledgements:

The Crown acknowledges that its representatives and advisers acted unjustly and in breach of the Treaty of Waitangi in its dealings with the Kīngitanga and Waikato in sending its forces across the Mangataawhiri in July 1863 and in unfairly labelling Waikato as rebels ... The Crown acknowledges that the subsequent confiscations of land and resources under the *New Zealand Settlements Act* 1863 of the New Zealand Parliament were wrongful, have caused Waikato to the present time to suffer feelings in relation to their lost lands akin to those of orphans, and have had a crippling impact on the welfare, economy and development of Waikato ... The Crown appreciates that this sense of grief, the justice of which under the Treaty of Waitangi has remained unrecognised.²⁸

REMORSE: SINCERE APOLOGY

Giving and receiving a sincere apology for injustices, however long ago, is always an important step in the process of reconciliation. In its simplest form, an apology is a speech act, a form of oral communication from one party to another designed to carry out several specific simultaneous communicative and moral functions.²⁹ Nicholas Tavuchis' definition of a meaningful apology is instructive: "To apologise is to declare voluntarily that one has no excuse, defense, justification, or explanation for an action (or inaction)."³⁰ Neil Funk-Unrau provides an impressive definition of an apology in the following areas:³¹

First, an apology clearly

"names a specific situation as a violation of the listener. A particular event is reframed and given meaning to validate the listener and acknowledge the pain of the listener as legitimate ... [which] creates a space for further healing and reconciliation by allowing the victimizer to express respect for the victim's memories of pain and hurt. The recognition and acknowledgement of the painful event according to the terms perceived by the victim can transform the trauma of victimization into a process of mourning which includes both apologizer and listener, thereby beginning the rebuilding of relationships."³²

According to Trudy Govier and Wilhelm Verwoerd,³³ acknowledgement is the most crucial aspect of the reconciliatory justice process, providing a basis for moving through the rest of the process and toward potential future reconciliation.

Second, the event is named in terms that clearly specify that the apologizer takes responsibility for the damage done to the listener. Janet Schmidt notes that an acknowledgement of wrongdoing has a positive impact on both speaker and listener; it not only provides the support and affirmation needed for the healing of the listener but also allows the speaker to address the guilt and marginalization that may have been felt as a consequence of the original event.³⁴ Susan Alter adds to this the importance of expression of profound remorse and the assurance or promise that the wrong will not recur.³⁵

Third, an apology implicitly acknowledges and reinforces the impossibility of undoing the harm that has been done.³⁶ The moral asymmetry between the speaker and listener is further heightened by the recognition that no future action can remove this asymmetry. Herein lies the ambiguity and the power of the apology process as Tavuchis states: "We are faced, then, with an apparently enigmatic situation in which the offender asks forgiveness as the necessary and symbolic corrective for a harmful action on the flimsiest of grounds: a speech act that is predicated upon the impossibility of restitution."³⁷ By offering the apology without justification or defence, the speaker deliberately takes on the vulnerability of moving the speech encounter towards an unknown end point.³⁸

Fourth, through these aspects, the apology process institutionalizes a symbolic exchange whereby the speaker provides a social legitimation of the pain of the listener and the social and moral norms held by the listener in the hope that the listener will respond in some reciprocal fashion. Apologies have been described as "the exchange of shame and power."³⁹ Roles are reversed as the apologizer is deliberately placed at the mercy of the listener who may or may not accept the apology.

Fifth, the entire speech act and the response of the listener become a necessary ritual of making things right, even as both parties agree that no action can ever make everything right again. Moving toward forgiveness and reconciliation is possible through effective and remorseful communication occurring between the parties on verbal, symbolic, and ritual levels. Bernard Mayer refers to "emotional resolution" as an important component of conflict resolution.⁴⁰ This emotional resolution may only be possible if the work of an apology has been effectively done.

To be effective, an apology should be perceived as sincere, a quality that is difficult to measure. Mark Gibney and Erik Roxtrom provide an extensive list of criteria for ascertaining a sincere and effective apology that includes publicity, ceremony, and understanding of the motives and context of the harms done.⁴¹

Publicity through media coverage of an apology by a government to an Indigenous group is important as an indication that the issue is considered to be a particularly pressing one. Moreover, public coverage is imperative for including and engaging the intended audience of both victims and their victimizers, and the persons listening are vicariously represented. *Ceremony* befitting such an event signifies the importance and seriousness of what is taking place. Both publicity and ceremony contribute to understanding within the implicated audiences.

An important question that the victimizer group issuing the apology can ask itself is why they did what they did. The apology should advance an understanding of the relationship between the victimizer and victim and consequently modify the victimizer's potential for repeating the injury and the victim group's continuing vulnerability. Policies to enforce assimilation in New Zealand and Canada have been the cause of numerous injustices, including the land confiscations in New Zealand and the residential school system in Canada. A proper and sincere apology would question not only the unjust actions or inaction but also the root causes of injustices, among other things, the master discourses of assimilation, the ideologies of superiority, and the culture of denial. A sincere apology may even begin a meaningful national debate on these and other root causes.

Apologies have become a standard part of the negotiations dealing with the past in New Zealand, commencing with the *Waikato Raupatu Claims Settlement Act* in 1995. Standard Deeds of Settlement in New Zealand name the injustices against Indigenous peoples, provide brief histories of those breaches, acknowledge governmental guilt and liability, and then through the apology clear this guilt and liability. The standard settlement apology in New Zealand lists the acknowledged injustices and then states:

Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the ... [historical grievances] finally settled as to matters set out in the Deed of Settlement signed on ... [date] to begin the process of healing and to enter a new age of co-operation with ... [Māori tribes].⁴²

The use of the word *atone* is significant; to atone means to “make amends; expiate (for a wrong).”⁴³ I would add that the definition must also include the notion of bringing one back into a former position or re-establish the *status quo ante*, however unrealistic and impossible it may seem in post-colonial states. But an apology assumes that the historical grievance is finally settled

and therefore non-Indigenous peoples' guilt and liability are also settled. From a cynical point of view, contemporary treaty settlements may be viewed as one way to release non-Indigenous peoples from liability for historic injustices. By assigning colonial racism to the past through contemporary acknowledgements and apologies, people are, perhaps, able to enter a new age without having to look at present practices or institutions and the cultural denial they perpetuate. As Sir Douglas Graham in New Zealand asserts:

The goal is to restore the relationship so that all New Zealanders can face the future without looking back at the problems of the past.⁴⁴

Still, one of the most important aspects of the WRCSA was the formal apology, part of which is provided here:

The Crown expresses its profound regret and apologises unreservedly for the loss of lives because of the hostilities arising from its invasion, and at the devastation of property and social life which resulted.⁴⁵

The apology was in both Māori and English, and it acknowledged that the Crown acted unconscionably and in repeated breach of the principles of the *Treaty of Waitangi* in its dealings with Waikato-Tainui. Importantly, the apology confirmed the validity of the claim that Waikato-Tainui land was confiscated and acknowledged that the people of Waikato-Tainui suffered grave injustices over generations. Then-Prime Minister The Right Honourable Jim Bolger officially presented the apology at Turangawaewae Marae (a tribal meeting centre) in Ngaruawahia⁴⁶ on 22 May 1995 to Dame Te Ati-i-Rangikaahu (the Waikato-Tainui and Māori Queen) during the annual Kingitanga Koroneihana (coronation) celebrations. The signing was witnessed by the Honourable Doug Graham for the Crown and Sir Robert Mahuta for Waikato-Tainui, and significant Māori gifts were exchanged to seal the event and signify its importance.⁴⁷

Importantly, on 3 November 1995, Queen Elizabeth II, New Zealand's head of state, personally visited Wellington to sign the *Waikato Raupatu Claims Settlement Bill* and endorse the apology by the government on behalf of the Crown to Waikato-Tainui for the military invasion, loss of life, and confiscation of their lands in 1863. Solomon stated that Queen Elizabeth's signing and endorsement of the WRCSA and apology were immensely symbolic, given that on two prior occasions the Waikato-Tainui monarchy, through King Tawhiao and King Te Rata, unsuccessfully sought redress from two British monarchs, Queen Victoria and King George.⁴⁸ On signing the WRCSA in 1995, the granddaughter of the former British monarchs was endorsing the

WRCSA with an official apology to the granddaughter of the former Waikato-Tainui monarchs.⁴⁹

The magnitude of the Waikato-Tainui apology cannot be overstated, given that it sets a course to finally overcome the political and legal denial, at least officially, that hitherto existed in New Zealand about Waikato-Tainui. Furthermore, the formal apology goes a long way to restoring harmony after 132 years of pain and injustice. For many of the Waikato-Tainui Elders, the recognition, responsibility, and remorse aspects of the reconciliatory justice process were the most important parts in terms of cultural, spiritual, and political healing and reconciliation. The apology does not, however, mean that the people of Waikato-Tainui forget the past, but it does provide the Crown with an opportunity to make amends and for Waikato-Tainui and the Crown to move on with the healing process in a new relationship. While official denial has been symbolically overcome, the task of achieving understanding and overcoming cultural denial by the settler population and even among some Māori is still to be achieved.

RESTITUTION OF WHAT WAS MISAPPROPRIATED

The concept of restitution is the next step in the process of reconciliation and is important as an alternative to retribution. Restitution is a traditional notion to which many Indigenous peoples subscribe. Restitution assumes the continuing co-existence of the harmed and the perpetrator of the harm, although with an altered balance of power.

Restitution involves the restoration of what was taken to right the imbalance caused by injustice. The perpetrator of the harm must restore to the extent that the unjust actions or inactions have deprived the harmed. However, the ability of governments and non-Indigenous peoples to meet these demands poses acute difficulties. Demands for the return of lands and natural resources that are under public and private control, for making amends for depriving people of life, sustenance, liberty, culture, language, and religion over centuries, for the subsequent individual and communal effects of such actions or inactions, and for restoration of traditional governance institutions in the twenty-first century go to the core of nation-state law and sovereignty, policy, and practice. They are simply impossible to satisfy fully.

Restitution of the *status quo ante* is not always possible, but approximate justice for the purpose of reconciliation is available. Still, a genuine and sincere effort for restitution must be made by the perpetrator of the harm to the harmed. Trust in a relationship develops through concrete actions, not words alone.

Restitution of the *status quo ante* is not always possible, but approximate justice for the purpose of reconciliation is available.

... reparations are an official gesture of remorse and must be part of any meaningful reconciliation process, particularly where full restitution is impossible.

Concrete actions show that groups are listening to each other and respecting and understanding each other in the quest for reconciliation.

The preamble of the WRCSA states: “Waikato pursued compensation on the ... established principles of ... ‘*i riro whenua atu, me hoki whenua mai*’ (‘as land was taken, land must be returned.’)”⁵⁰ Moreover, the Crown recognizes the significance of the *land-for-land* principle, and both parties agreed that the Crown should make full and final restitution to Waikato in respect of the *raupatu* claim.⁵¹ The Act further states that the Crown holds only a small portion of the land originally confiscated.⁵² Consequently, the best the Crown could do in terms of approximate justice was to restore all public lands owned by the Crown within the *raupatu* land confiscation boundaries. The Crown originally restored the full ninety thousand acres to Waikato-Tainui under the WRCSA, but then Waikato-Tainui gifted back to the Crown fifty thousand acres for the benefit of all New Zealanders; hence, the restitution of land amounted to approximately forty thousand acres⁵³ with the Crown retaining the rest, mostly as conservation land. A permanent Waikato-Tainui representative, however, sits on the Waikato Conservation Board to assist in managing its use. The settlement does not restore the Waikato River to Waikato-Tainui⁵⁴ (which is significant for historical, ceremonial, economical, and other cultural reasons) nor have interests in sub-surface minerals been restored.

REPARATION: COMPENSATION

An apology and acknowledgement of past injustices, although critical, are not enough; reparations are an official gesture of remorse and must be part of any meaningful reconciliation process, particularly where full restitution is impossible. Without some form of reparation, apologizing for a historical wrong is an empty gesture. Repentance without compensation serves only to make the apologizer feel good while minimizing benefits for the victim.

Reconciliation that can lead to a culture and relationship of trust also requires that reparations include monetary compensation. Reconciliation must include concrete deeds and can never be a cheap word or an abstract process. Symbolic reparation is essential, including an apology and/or some other culturally appropriate intervention,⁵⁵ but the importance of symbolism does not minimize the need for concrete and financial reparations.⁵⁶ The key questions are how much, how to quantify compensation, who pays, who are the people and groups today to receive compensation, and do communities as well as individuals receive compensation? Again, full compensation in terms of quantified damages is not always possible, which is where approximate justice re-emerges.

Another guiding principle of the WRCS was *kei te moni hei utu mo te hara*—the money is acknowledgement for the crime.⁵⁷ The Crown has acknowledged the *raupatu* land confiscation injustice and its subsequent effects on Waikato-Tainui as a people. Given that a guiding negotiating principle for Waikato-Tainui was land for land, which was impossible, compensation was accepted as reparation for these non-compensable harms. Redress in financial terms amounted to \$170 million plus interest on the principal sum of the settlement, resulting in approximately \$215 million.

Furthermore, it is vital to acknowledge that ethnocidal and genocidal injustices cannot be adequately compensated financially, but reparations that improve the socio-economic circumstances of Indigenous peoples will bring benefits to society at large. Failing to do so will result in ever-increasing economic, social, and political costs to the state.⁵⁸

REDESIGN OF STATE LEGAL AND POLITICAL INSTITUTIONS

Reconciliation can only come after appropriate resolution of the grievances. Once the grievance has been settled, however, it is not the end. As noted above, reconciliatory justice is a process, not an event. Contemporary settlements are but frameworks for a solution, because the intergenerational impacts of the *raupatu* confiscations and treaty injustices in New Zealand and child abuse in residential schools in Canada do not disappear overnight. A framework is required for healing to take place that includes official and unofficial policies, laws, and institutions that allow all sectors to work together. What is required is the redesign of state laws and institutions to be more accommodative of, inclusive of, and respectful of the *other*, particularly Indigenous peoples as the nation's first citizens.

For Waikato-Tainui, the power to make decisions that affect peoples' lives was paramount. The WRCSA and institutional redesign were intended to give Waikato-Tainui this power. A new relationship between the Crown and Waikato-Tainui was established based on trust, respect, and dignity. Consequently, state political and legal institutions were redesigned to empower the people to effectively participate in their own governance and the government of the nation-state. The statutory Tainui Maori Trust Board has been abolished and the people of Waikato-Tainui have collectively agreed, by tribal plebiscite, on the mode of post-settlement self-governance through the *Kauhanganui o Waikato Inc.* (literally, the Great Council of Waikato), drawing on three representatives from each of the sixty-three *marae* (tribal meeting places) of the settlement.⁵⁹ The significance of this new governance institution is that the Māori Land Court does not retain jurisdiction over the

Kauhanganui o Waikato (the tribal Parliament), it now being accountable to the tribe collectively and not to the Crown as in the past.

Furthermore, the WRCSA vests in some of the lands that were under the first Māori King (1858), the late Potatau Te Wherowhero, and subsequently returned to Waikato-Tainui. Under this new tribal land title, no individual can succeed to such lands. The lands are vested in three custodial trustees and can be alienated by them only with the agreement of seventy-five per cent of the beneficiary *marae* (tribal meeting houses), a level of endorsement that would be very difficult to secure. Moreover, land under Te Wherowhero title cannot be alienated under the *Resource Management Act 1991*. Neither the Māori Land Court nor the Waitangi Tribunal retain jurisdiction over matters dealt with under the WRCSA.

REFRAIN FROM REPEATING SIMILAR INJUSTICES

Reconciliatory justice and peaceful co-existence requires that the perpetrating state and the people it represents refrain from repeating injustices of the past. Those who have suffered harms want reassurance that they will not become victims again, and they want some assistance in overcoming the effects of past harmful actions or inactions. The process of reconciliation does not end with the publication of an apology or the signing of an agreement.

Reconciliation should not merely uncover the wrongs of the past, but anticipate present and future wrongs as well. One of the challenges with resolving historic injustices against Indigenous peoples is correcting the power imbalance that gave rise to the injustice in the first place. The imbalance is often reflected even in the process where amends are being made, with the state exercising power to decide if and when an apology will be made as well as the manner and extent of restitution. Models of institutional design and the norms embedded in these models are intended to prevent the repetition of external domination over Indigenous peoples' affairs.

RECIPROCITY: TO FORGIVE

Once Indigenous groups have been through this protracted, yet vitally empowering process, I argue that there remains an equally vital duty for them to perform: to forgive the perpetrators of past injustices. By the government's act of apologizing, of offering restitution and reparation, its representatives are taking a position of vulnerability. Indigenous peoples are empowered to respond in any way desired.

When the state sincerely asks the aggrieved Indigenous group for forgiveness, relinquishing control of the tone and terms of reconciliation, the Indigenous people are put in a position of exercising some real authority in the matter. Indigenous peoples can then question the sincerity of the state and conclude whether the reconciliation process that has been offered is sufficient or not. Often, however, people are reluctant to take on such a responsibility to make right and to forgive. Granted, forgiveness for decades, sometimes centuries, of injustice is not easy. But, for the future development of the Indigenous group, the people must forgive the perpetrator so that they can move forward. Both the Crown and settlement groups must seek not simply to restore but to transform.

Māori have a traditional customary law called *utu* which was and continues to be an integral part of Māori society. *Utu* has been linked closely to notions of vengeance, but it also has quite neutral or even benign connotations of reciprocity in many contexts.⁶⁰ *Utu* means to give as one has been given, to restore and preserve balance in the universe. However, *utu* does not just mean reciprocating the equivalent of what one was given but actually giving more in return.⁶¹ *Utu* is not only for restoring *mana* (individual and group honour, respect, intrinsic strength) but indeed increasing *mana*. An important concept directly associated with *utu* is *ea*, whereby both the offended and offending parties accept that the debt is repaid and the matter is finally settled.

Māori customary laws and institutions thus embodied ideals, hopes, and potential as well as a longing for harmony and reconciliation. The same ideals must be incorporated collectively as an integral component in the reconstruction of society based on peaceful co-existence. Such traditional Indigenous customary laws need to continue to apply in the twenty-first century with Indigenous peoples; in this context, forgiving the offending governments for past and present injustices so that balance is restored to their world.

Forgiveness, however, does not mean forgetting the past. In fact, the grievance and settlement process need to be memorialized so that history will be instructive for future generations and the culture of denial will be prevented from reasserting itself. As George Santayana warned, “those who cannot remember the past are condemned to repeat it.”⁶²

... the grievance and settlement process need to be memorialized so that history will be instructive for future generations and the culture of denial will be prevented from reasserting itself.

CONCLUSION

Both Canada and New Zealand are engaged in confronting the legacy of their colonial history, acknowledging massive violations of human rights, seeking resolution of long-standing land claims, and making reparation for injuries that reverberate throughout successive generations of Indigenous peoples. Edward Taihakurei Durie, former chief judge of the Māori Land Court, has commented that the resolution of Indigenous peoples' grievances requires broad and expansive thinking, ingenuity in long-term planning, humanity and compassion, vision, strength, and courage.⁶³

This paper has proposed reconciliatory justice as an essential process for overcoming the politics of denial and building a healthy, inclusive nation where cultural diversity is accepted and celebrated and where space is provided for Indigenous peoples' development as freedom. While there are many parallels between issues for resolution and the paths being explored in our two countries, there is no ideal or immediately transferable solution to the deep-seated and complex challenges that we face. Notwithstanding the weaknesses and contradictions of existing models, Māori experience in seeking to achieve reconciliatory justice and the analysis set forth above may provide some guidance for a *greenstone door* as the Canadian Truth and Reconciliation Commission sets out on its mission.

NOTES

¹ Mead, Nā Hirini Moko and rāua ko Neil Grove (2001:137). *Ngā Pēpeha a ngā Tīpuna: The Sayings of the Ancestors*. Wellington, NZ: Victoria University Press.

² Sen, Amartya (2000). *Development as Freedom*. New York, NY: Alfred A. Knopf.

³ Cohen, S. (1995). *Denial and Acknowledgement: The Impact of Information About Human Rights Violations*. Jerusalem, ISRAEL: Centre of Human Rights, Faculty of Law and the Harry S. Truman Research Institute for the Advancement of Peace, Hebrew University. See also Cohen, S. (2001). *States of Denial: Knowing About Atrocities and Suffering*. Cambridge, UK: Blackwell Publishers.

⁴ Turia, Tariana (2000). What Tariana Turia said – in full, *New Zealand Herald*. Retrieved November 2007 from: online at http://www.nzherald.co.nz/topic/story.cfm?c_id=146&objectid=149643 [emphasis added]. Turia

eventually apologized for causing the political storm, resigned from the Labour Party, and subsequently formed the Māori Party.

⁵ See for example, Young, Audrey (2000). Minister hammers colonial 'holocaust' (August 30); Holocaust remark sets Race Relations Office's phones ringing (September 1); 'Holocaust' MP considered quitting job (September 13); and Turia apologises over 'holocaust' statement (September 5), *New Zealand Herald*. Retrieved November 2007 from: <http://www.nzherald.co.nz>

⁶ Cited in Gifford, A. (ed.) (2000:6). *nga korero o te wa: A monthly summary of Maori news and views from throughout Aotearoa* 10(12).

⁷ Cohen (1995:25).

⁸ In 1926, the New Zealand Government established a Royal Commission to inquire into confiscated land and other grievances under Justice Sir William Sim, Vernon Reed, a legislative councillor, and William Cooper, a Māori of Wairoa. See the Appendices to the Journal of the House of Representatives (1928:G7).

⁹ Cohen (1995).

¹⁰ *Mabo and Others v. Queensland* [1992] 175 CLR 1.

¹¹ Lane, B., 'Dangers lurk in new preamble' in *Sydney Morning Herald*, (12 July 1999).

¹² Ballara, A. (1986). *Proud to be White? A Survey of Pakeha Prejudice in New Zealand*. Auckland, NZ: Heinemann Publishers.

¹³ *Wi Parata v. Bishop of Wellington* [1877] 3 NZ Jur (NS) SC 72. In *R v. Symonds* [1847] N.Z.P.C.C. 387, the Court asserted that whatever the strength of native title, it is entitled to be respected, which was at the time the strongest judicial recognition of Aboriginal title in the British Empire. Over the next thirty years several New Zealand cases followed the *Symonds'* approach including the *Kauwaeranga Judgment* [1984] 14 VUWLR 227. Moreover, in *re The Landon and Whitaker Claims Act 1871* [1872] 2 NZCA 41, 49 the Court of Appeal held that the Crown was bound to a full recognition of Native proprietary rights.

¹⁴ Freire, P. (1996 [1970]). *Pedagogy of the Oppressed*. Translated by Myra Bergman Ramos. London, UK: Penguin.

¹⁵ See generally Lederach, J. (1997). *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, DC: United States Institute of Peace Press.

¹⁶ *Delgamuukw v. British Columbia* [1997] 3 S.C.R. 1010:186, per C.J. Lamer (Supreme Court of Canada).

¹⁷ Havemann, P. (1999:55). Reconciliation and Discrimination: Indigenous peoples, colonisation and the state in the 'old Dominions' (Australia, Canada and New Zealand). In A Dialogue on Indigenous Rights in the Commonwealth. Conference Proceedings, Institute of Commonwealth Studies, University of London.

¹⁸ See generally Zehr, H. (1990). *Changing Lenses: A New Focus for Crime and Justice*. Scottsdale, PA: Herald Press.

¹⁹ To cite some examples, in 1884, King Tawhiao led an unsuccessful deputation to England to petition Queen Victoria for grievances between Māori and the Crown including the *raupatu* land confiscations. In 1907 King Mahuta drafted a petition to King Edward asking that Māori be put on the same footing as *Pakeha* (mainstream non-Māori); and in 1914 King Te Rata visited England requesting Imperial Government intercession. See Dictionary of New Zealand Biography. Retrieved 22 January 2007 from: <http://www.dnzb.govt.nz/dnzb/>

²⁰ See the database of the Waitangi Tribunal and its Reports at http://www.knowledge_basket.co.nz//topic (retrieved November 2007).

²¹ *Tainui Maori Trust Board v. Attorney-General* [1989] 2 NZLR, 513, 528 (CA).

²² Solomon, S. (1995:4). *The Waikato Raupatu Claims Settlement Act: A Draft Users Guide to the Act as at 28 October 1995*, Hamilton, NZ: Tainui Maori Trust Board.

²³ Cohen (1995:29).

²⁴ Bettelheim, B. cited in Danieli, Y. (2000:para. 9). *Healing Components: The Right to Reparation for Victims of Gross Violations of Human Rights and Humanitarian Law. If Not Now e-Journal 1(Winter)*. Retrieved 23 January 2008 from: http://www.baycrest.org/If_Not_Now/Volume_1_Winter_2000/default_7160.asp

²⁵ Solomon (1995:4).

²⁶ New Zealand Government (1995). *Waikato Raupatu Claims Settlement Act 1995*. Retrieved 23 January 2008 from: http://www.legislation.govt.nz/act/public/1995/0058/latest/DLM369893.html?search=qs_act_Waikato+Raupatu+Claims+Settlement+Act+1995&sr=1

²⁷ New Zealand Government (1995).

²⁸ New Zealand Government (1995:15–16).

²⁹ Tavuchis, N. (1991). *Mea Culpa: A Sociology of Apology and Reconciliation*. Stanford, CA: Stanford University Press; Govier, T. and W. Verwoerd (2002). *The Promise and Pitfalls of Apology*. *Journal of Social Philosophy* 33(1):67–82.

- ³⁰ Nicholas Tavuchis cited in Amnesty International (2005:s. 4.4.1) Japan: Still Waiting After 60 years: Justice for Survivors of Japan's Military Sexual Slavery System. Retrieved 23 January 2008 from: http://www.amnesty.org/en/alfresco_asset/9e349608-a2ec-11dc-8d74-6f45f39984e5/asa220122005en.html
- ³¹ Funk-Unrau, N. (2004). Potentials and Problems of Public Apologies to Canadian Aboriginal Peoples. Conference Paper, Conflict Resolution Network Canada, Kitchener, Ontario, 2–4 June 2004. Retrieved 23 January 2008 from: http://io.uwinnipeg.ca/~msc/downloads/MSC_research_funkunrau1.pdf
- ³² Barkan cited in Funk-Unrau, N. (2004:2). Potentials and Problems of Public Apologies to Canadian Aboriginal Peoples. Conference Paper, Conflict Resolution Network Canada, Kitchener, Ontario, 2–4 June 2004 (retrieved 23 January 2008 from: http://io.uwinnipeg.ca/~msc/downloads/MSC_research_funkunrau1.pdf). See also Barkan, E. (2000:323). *The Guilt of Nations: Restitution and Negotiating Historical Injustices*. Baltimore, MD: The Johns Hopkins University Press; and Brooks, R. (ed.) (1999). *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*. New York, NY: New York University Press.
- ³³ Govier and Verwoerd (2002).
- ³⁴ Schmidt, J. (2002). The Place of Confession in Restorative Justice. *Vision: A Journal for Church and Theology* 3(Fall):54–59.
- ³⁵ Alter, S. (1999). *Apologising for Serious Wrongdoing: Social, Psychological and Legal Considerations*. Ottawa, ON: Law Commission of Canada.
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- ³⁷ Tavuchis, N. (1991:34).
- ³⁸ Schneider, C.D. (2000). What It Means To Be Sorry: The Power Of Apology In Mediation. *Mediation Quarterly* 17(3):265–280.
- ³⁹ Lazare, A. (1995:42). Go Ahead, Say You're Sorry. *Psychology Today* 28(1):40–46.
- ⁴⁰ Mayer, B. (2000:104). *The Dynamics of Conflict Resolution: A Practitioner's Guide*. San Francisco, CA: Jossey-Bass.
- ⁴¹ Gibney, M. and E. Roxtrom (2001). The Status of State Apologies. *Human Rights Quarterly* 23:911–939.
- ⁴² See the Waikato apology in the *Waikato Raupatu Claims Settlement Act 1995*, part 1, s. 7.6 (retrieved 24 January 2008 from: http://www.legislation.govt.nz/act/public/1995/0058/latest/DLM369893.html?search=qs_act_waikato+raupatu+claims+settlement+act&sr=1); the Waikato Deed of

Settlement, clause 3.6; and the Ngāi Tahu apology in the *Ngai Tahu Claims Settlement Act 1998*, s. 4 and the Deed of Settlement, clause 2.18. See also s. 3, *Ngāti Turangitukua Claims Settlement Act 1999*.

⁴³ Canadian Oxford Dictionary, Second Edition (2004). Don Mills, ON: Oxford University Press Canada.

⁴⁴ Graham, D. (1997:94). *Trick or Treaty?* Wellington, NZ: Institute of Policy Studies.

⁴⁵ *Waikato Raupatu Claims Settlement Act 1995*, part 1, s. 6.2.

⁴⁶ Ngaruawahia was the Waikato-Tainui tribal capital of the Kingitanga in 1858 prior to the British invasion.

⁴⁷ The Crown gifted the fabled and valuable Korotangi carved rock bird that was carried on the Tainui waka migration from Eastern Polynesia circa 1350 and Waikato-Tainui reciprocated with 'Te Raupatu' a precious jade article.

⁴⁸ King Tawhiao led an unsuccessful deputation to visit Queen Victoria in 1884 and likewise King Te Rata to King George in 1914. See note 23.

⁴⁹ Solomon (1995:2).

⁵⁰ *Waikato Raupatu Claims Settlement Act 1995*, Clause O, Preamble.

⁵¹ *Waikato Raupatu Claims Settlement Act 1995*, Clause S (b) and (c), Preamble.

⁵² *Waikato Raupatu Claims Settlement Act 1995*, Clause W, Preamble.

⁵³ Tainui Maaori Trust Board (1995). *Tainui Maaori Trust Board Annual Report 1995*. Hamilton, NZ: Tainui Maaori Trust Board.

⁵⁴ Waikato-Tainui is currently negotiating for the settlement of the historical claims to the Waikato River, which was confiscated as part of the *raupatu* confiscations following the wars in the 1860s. Te Kauhanganui, the tribal parliament signed an agreement in principle on 16 December 2007. See the *Agreement in Principle* at www.tainui.co.nz/docs (retrieved December 2007).

⁵⁵ Examples in New Zealand and Canada include the repatriation of cultural property from museums and governments.

⁵⁶ Orr, W. (2000). *Reparation Delayed is Healing Retarded*. In C. Vicencio and W. Verwoerd, *Looking Back Reaching Forward: Reflections on the Truth and Reconciliation Commission of South Africa*. Cape Town, SA: C. Villa-Vicencio, W. Verwoerd, and University of Cape Town Press: 239–249.

⁵⁷ *Waikato Raupatu Claims Settlement Act 1995*, Clause O, Preamble.

⁵⁸ See for example, New Zealand Institute of Economic Research (2003). *Māori Economic Development: Te Ōhanga Whanaketanga Māori*. Wellington,

NZ: New Zealand Institute of Economic Research Inc. (retrieved 25 January 2008 from: http://www.tpk.govt.nz/publications/docs/economics/mdr_final.pdf); Coates, K. (1995). Summary Report: Social and Economic Impacts of Aboriginal Land Claims Settlements: A Case Study Analysis. Prepared for British Columbia Ministry of Aboriginal Affairs (retrieved 25 January 2008 from: <http://www.gov.bc.ca/arr/reports/arasumm.html>); and Anderson, R.B. (1999). *Economic Development among the Aboriginal Peoples of Canada: The hope for the future*. Toronto, ON: Captus Press Inc.

⁵⁹ *Waikato Raupatu Claims Settlement Act 1995*, sections 27–29.

⁶⁰ Te Mātāhauariki Institute (2007). *Te Mātāpunenga: A Compendium of the References to the Concepts and Institutions of Maori Customary Law*. CD compiled by Richard Benton, Alex Frame, and Paul Meredith. Hamilton, NZ: Te Mātāhauariki Institute and University of Waikato.

⁶¹ See Firth, R. (1959). *Economics of the New Zealand Maori*. Wellington, NZ: R.E. Owen. (retrieved 25 January 2008 from: <http://www.questia.com/PM.qst?a=o&d=62842657>); Walker, R. (1990). *Ka Whawhai Tonu Matou: Struggle Without End*. Auckland, NZ: Penguin Books; and Salmond, A. *Between Worlds: Early Exchanges Between Māori and Europeans, 1773–1815*. Auckland, NZ: Viking Press.

⁶² Santayana, G. (1954:1905–1906). *The Life of Reason: or The Phases of Human Progress* (5 vols.). New York, NY: Charles Scribner's Sons.

⁶³ Durie, E. (1991). *Waitangi: Justice and Reconciliation*. Second David Unaipon Lecture, School of Aboriginal and Islander Administration, University of South Australia, Adelaide, 10 October 1991. Retrieved 25 January 2008 from: <http://www.knowledge-basket.co.nz/oldwaitangi/press/91unaipo.HTM>



Children in class with teacher Hugh Baker (left) and Reverend J.W. Tims (right)
at the North Camp School on the Blackfoot Reserve, Gleichen, Alberta, August 24, 1892
Glenbow Archives, NA-1934-1

(Photo: Courtesy of the Legacy of Hope Foundation)

BRADFORD W. MORSE

Brad Morse is a professor of law in the Common Law Section at the University of Ottawa. He describes himself as a non-Aboriginal lawyer who has had the good fortune of working for First Nations and Métis organizations in Canada for over thirty years, as well as for Indigenous peoples in several other countries. He continues to be amazed by the high level of generosity and desire for partnership that is expressed by Indigenous peoples, despite generations of oppression, racism, and gross violations of human rights. In his work for governments, Brad has heard similar goals expressed, along with denials that any problems exist. He believes that reconciliation is achievable under the right conditions:

My experience leads me to believe that reconciliation is achievable; however, it will require a *genuine* commitment on the part of non-Aboriginal governments, individuals, and organizations to make heartfelt amends, to rectify historic injustices to the degree possible, and to support true self-determination. Saying sorry is not enough.

Brad's contribution to this collection—*Reconciliation Possible? Reparations Essential*—provides a thought-provoking examination of the role of authentic apology in reconciling historical wrongs. Such an apology “must express regret and sorrow unequivocally, be sincere and delivered in a timely fashion, be voluntary, represent genuine appreciation of the impact of the harm suffered through honest reflection, and admit the specific wrongs or mistakes of the perpetrator.” Included is a summary of Canada's approach to reparation for group claims by Japanese Canadians, Chinese Canadians, Ukrainian Canadians, Doukhobors, and residents of Africville. The author considers attempts by various governments to remove legal impediments that hinder the official expression of apology. In exploring the relationship between apology and reconciliation, Brad draws upon the Australian experience. He concludes with an appeal to Canada to take advantage of the unique opportunity ahead to work toward achieving genuine reconciliation.

RECONCILIATION POSSIBLE? REPARATIONS ESSENTIAL

INTRODUCTION

Canada in the twenty-first century exists as a country enriched by immense human and natural resources. It is a nation filled with majestic beauty beyond compare, populated by talented individuals attracted here from all corners of the globe in recent years and generations past in search of better lives for themselves and their families—all of this occurring with little regard to its illegitimate and immoral beginnings. Canada is also a land of many, many Aboriginal Nations whose sovereign independence was never properly recognized and whose territory was improperly usurped by Crown representatives through force of circumstance—if not force of arms. First Nations, Inuit, and Métis peoples have been colonized, dispossessed of most of their traditional territories, economically marginalized, politically disenfranchised, and administratively oppressed by government officials operating within Canadian law or bureaucratic edict for generations.

As if this disastrous and psychologically devastating history was not enough, the Government of Canada elected to attempt to wipe out all of the Indigenous cultures, languages, religions, stories, histories, laws, governments, extended families, values, and ways of living as human beings. The method chosen was to cut off all prospects for the survival of Indigenous societies; it goes without saying that this included all prospects for the flourishing of these societies. In other words, the method was an attempt to remove all of the children at such an early age to ensure that they would not become fully inculcated within their traditions and to take them far away to be transformed or brainwashed into becoming members of the dominant society. This strategy would ensure that First Nations would simply die out as their older members, who were seen as beyond hope and incapable of change, passed on while the children would grow up disconnected from their homes, families, and lives. Perhaps an even crueler aspect of this plan was that the children were not given substitutional families, where love and nurturing could possibly occur, but were instead institutionalized.

Some will suggest that residential schools were created out of the best of intentions to convey the learning of the European world that was more technologically advanced and was believed to be essential for survival in the nineteenth and twentieth century economies. If that is so, then how does one

Perhaps an even crueler aspect of this plan was that the children were not given substitutional families, where love and nurturing could possibly occur, but were instead institutionalized.

explain that these children were not taught the prevailing curriculum in the same manner as public schools so as to acquire the skills necessary to succeed economically in the Canadian workforce?

The purpose of this paper, however, is not to explore the history of residential schools or to analyze the reasoning underlying government policies in this regard, especially as there are far more able people to do so. Instead, I hope to achieve a few other objectives. Firstly, I will summarize ever so briefly the gross violation of human rights in Canada meted out through government action to a number of distinct immigrant groups, including their experience in seeking reparations and reconciliation with the society that oppressed them. Secondly, I will examine the importance of genuine apologies for both victims and victimizers. This discussion will consider how the common law legal system can impede the willingness of perpetrators to render apologies for fear of being sued and some legislative initiatives that have sought to overcome that factor. I will then look outside Canada for possible guides to show how members of the dominant society can demonstrate the capacity to seek reconciliation, even where the government may refuse to recognize any need to take action.

CANADA'S EXPERIENCE IN REPARATIONS FOR NON-ABORIGINAL CANADIANS

Over three hundred years of active colonization has been extraordinarily destructive to Indigenous governments. Without suggesting any commonality of experience, it is important for all Canadians to realize that the First Nations, Inuit, and Métis peoples are not the only ones to have suffered grave injustices at the hands of Canadian governments. Having some understanding of the experiences encountered by other groups who have sought reparations from and reconciliation with Canadian governments can provide useful ideas for action as well as insights that can encourage creating new relationships.

No government in Canada has crafted an official policy to accept the obligation to provide reparations for past wrongs for group claims or even to establish frameworks for its consideration. Instead, our federal and provincial governments have slowly and grudgingly responded to claims by distinct collectivities (as opposed to claims by individuals even if they shared similar injuries like tainted blood) for reparations on a case-by-case basis with mixed success, as is evident from the following key examples.

JAPANESE CANADIANS

Over twenty-two thousand Japanese Canadians were arrested, taken from their homes, separated from their families, and interned in prison camps during World War II. The only 'crimes' that had been committed were being of Japanese ancestry and living in Western Canada. These were not real crimes, of course, so they had no access to ordinary courts to protest their innocence and have the appropriateness of this gross violation of human rights assessed by an independent judiciary. The able-bodied men were forced into manual labour work crews building roads and railways and doing agricultural work. The women, children, and elderly were sent to camps in eastern British Columbia. The Canadian government confiscated and sold property belonging to Japanese Canadians at auction at far below market value, while at the same time charging Japanese Canadians for the cost of their internment. When the war ended in 1945, most were forced to move to eastern Canada or face deportation to Japan, a defeated country that many had never known: It was not until 1949 that full citizenship rights of these Japanese Canadians were finally reinstated.

In 1988, the Government of Canada entered into a redress agreement with the National Association of Japanese Canadians (NAJC). The agreement included a formal apology from the federal government and a compensation package estimated at \$300 million. Each survivor of internment, dislocation, and loss of property was eligible for a \$21,000 tax-free lump sum payment. The government established the Japanese Canadian Redress Secretariat (JCRS) to process applications for individual redress. Near the end of its five-year mandate, the Secretariat had issued 17,948 payments and rejected 586 applications. The compensation package also included a \$12 million payment to the Japanese Canadian community via the NAJC to be used for educational, social, and cultural activities. In addition to the apology and financial elements, the settlement contained several non-monetary aspects: one included a process whereby Japanese Canadians, who had been convicted under the *War Measures Act* or the *National Emergency Transitional Powers*, could clear their names; and another process whereby Japanese Canadians still living, and their descendants, who had either been expelled from Canada or had their citizenship revoked between 1941 and 1949, could regain their status as Canadian citizens.

A final aspect of the settlement was the creation of a Canadian Race Relations Foundation (CRRF), which was established by the enactment of the *Canadian Race Relations Foundations Act*.¹ This is an important element of the agreement

because its effects extend far beyond the Japanese Canadian community to benefit all Canadians. The CRRF board of directors unanimously adopted a policy in 2005 that “acknowledges the right of discriminated communities to seek redress, including reparations, among viable options of recourse and remedy for injustices committed against their groups, including historical injustices.”² The CRRF is the “only national, legislatively constituted organization with the sole mandate to combat racism in Canada.”³ The CRRF acts as “voices for communities seeking redress and reparations ... for historical injustices ... that underpin the present day continuing discrimination and racism that they face, through successive generations.”⁴ This does provide both recognition of the entitlement and a potential ally for all discriminated communities in the struggle to seek redress, including reparations.

Despite the CRRF’s mandate to support and promote “the development of effective policies and programs for the elimination of racism and racial discrimination,”⁵ Canada has extended no official mechanism to receive reparation claims for past wrongs nor fashioned an approach that will eliminate their reoccurrence.

CHINESE HEAD TAX

Thousands of immigrants from China were recruited in the latter part of the nineteenth century to help build the Canadian Pacific Railway across western Canada. In 1885, when construction of the railroad was completed, the federal government introduced a “head tax” whereby a fifty-dollar fee was imposed on all new Chinese immigrants. Five years later it was doubled and, by 1903, it had been raised to five hundred dollars, which was the equivalent of nearly two years’ worth of wages for the average Canadian. From 1885 to 1923, approximately eighty-two thousand Chinese immigrants were forced to pay a head tax to enter Canada.⁶ In 1923, the Government of Canada enacted *The Chinese Immigration Act*,⁷ which was tantamount to a complete prohibition on immigrants of Chinese origin or descent and lasted until 1947. These measures had tragic and inhumane impacts upon individual Chinese Canadians seeking to unify their families.

On 22 June 2006, Prime Minister Stephen Harper offered a formal apology in the House of Commons to all Chinese Canadians for both the head tax and the former restrictive immigration policy. Although this apology expressly recognized the contributions of Chinese immigrants to the success and development of Canada, it also stressed that the apology’s purpose was

to foster reconciliation rather than admitting liability for wrongdoing. The official apology included an express avowal that “Canadian courts have ruled that the head tax, and immigration prohibition, were legally authorized.”⁸ Two months later, the Canadian Cabinet enacted an *Order Respecting the Ex-Gratia Payments to Chinese Head Tax Payers*.⁹ The Order authorizes the Minister of Canadian Heritage to issue voluntary payments of twenty thousand dollars to all living head taxpayers. One can apply until 31 March 2008, unless an eligible applicant can demonstrate that they were unable to submit by the deadline due to circumstances beyond their control. By November 2006, the mandate for compensation was expanded and eligibility was extended to the individuals who were in conjugal relationships with a now-deceased Chinese head taxpayer or a designated beneficiary.¹⁰ Like the formal apology, both Orders include provisions that stipulate that payments are not to “be construed as an admission of liability on the part of the Crown.”¹¹ A dozen payments were issued, many of them publicly, between October and December of 2006. As the head tax ended eighty-four years ago, only a handful of direct payers are alive to apply.

UKRAINIAN CANADIANS

During the period of 1914 to 1920, approximately eighty thousand individuals, of whom the majority were of Ukrainian ancestry, were registered as enemy aliens. More than five thousand Ukrainian immigrants were interned across Canada while the federal *War Measures Act* was invoked.¹² Internees were forced to labour in steel mills and logging camps and in the development of Banff National Park. Ukrainian Canadians were deprived of their personal property and their right to vote while interned. For decades, representatives of the Ukrainian Canadian community have consistently pressed to have this injustice finally redressed.

A Private Member’s Bill was introduced in 2004 as Bill C-331, the *Ukrainian Canadian Restitution Act*. The Bill was renamed the *Internment of Persons of Ukrainian Origin Recognition Act*¹³ (IPUORA) before it was enacted and received royal assent on 25 November 2005. The IPUORA explicitly compels negotiations to occur by the federal government with the Ukrainian Canadian Congress, the Ukrainian Canadian Civil Liberties Association, and the Ukrainian Canadian Foundation of Taras Shevchenko. Although compensation is not specifically mentioned in the *Act*, section 5 enables the consideration of “any other measure that promotes the objective described in section 2.1.” The latter section targets achieving “better public understanding of ... the consequences of ethnic, religious or racial intolerance and discrimination;

... the apology’s purpose was to foster reconciliation rather than admitting liability for wrongdoing.

and ... the important role of the *Canadian Charter of Rights and Freedoms* in the respect and promotion of the values it reflects and the rights and freedoms it guarantees.”

The IPUORA as passed was markedly different than Bill C-331 when it was presented for first reading in the House of Commons. The original Bill contained a requirement to address restitution for property losses incurred by Ukrainian Canadians. These losses were estimated by the Ukrainian Canadian Congress as amounting to \$21.6 million to \$32.5 million (in 1991 dollars). To date, no compensation or governmental apology has been forthcoming. The Ukrainian Canadian Congress, in conjunction with the Ukrainian Canadian Foundation of Taras Shevchenko and the Ukrainian Canadian Civil Liberties Association, has announced that it is seeking symbolic redress - “significantly less than the contemporary value of what was taken from the internees.”¹⁴ This complaint remains unresolved and the requirements of the *Act* have yet to be fulfilled.

DOUKHOBORS

From 1953 to 1959, the children of the Sons of Freedom Doukhobors were removed from their homes and placed in residential schools located in New Denver, British Columbia. In 1999, the provincial Ombudsman published a report entitled *Righting the Wrong: The Confinement of the Sons of Freedom Doukhor Children*.¹⁵ In 2002, a progress report¹⁶ was published updating the status of the five recommendations made three years earlier. According to the latter report, the government has not admitted any wrongdoing, although it has attempted to explain its actions. A formal apology has not been offered; however, a letter of regret was issued to former residents and the government began community consultations on methods of achieving reconciliation. In 2005, the government of British Columbia cancelled a plan to create a memorial picnic site when the Doukhobor community rejected the proposal.¹⁷

A former resident of the Doukhobor residential school, Phillip Arishenkoff, launched a lawsuit in 2002 against the Government of British Columbia on behalf of a number of Doukhobor children who shared his experience. The claims of sexual misconduct were dismissed on a preliminary motion brought by the provincial government as being not of a sexual nature and therefore insufficient to trigger an exemption from the impact of limitation legislation that rules the action out of time.¹⁸ In a second application, claims relying on the equality rights protected by section 15 of the *Canadian Charter of Rights*

and *Freedoms*¹⁹ were determined to be unfounded.²⁰ Other causes of action were subsequently determined to be statute-barred,²¹ and the entire action was finally dismissed in 2005.²² This half-century old grievance remains unresolved.

AFRICVILLE

A distinct community of Black Canadians located within Halifax existed from the early 1800s until its demolition in the 1960s. The land that comprised Africville was expropriated by the city and its residents evicted from their homes before they were bulldozed to allow the A. Murray MacKay Bridge connecting Halifax and Dartmouth to be built. Residents were not compensated for the loss of their homes, land, or community. Prior to the demolition, the city had refused to provide sewage, water, or electrical services to Africville. A railway had been built through the community; an infectious disease hospital and a fertilizer plant were constructed in the neighbourhood; and, finally in 1955, a landfill site was opened only three hundred meters from the nearest Africville home. Seaview Park now occupies the land where Africville once stood. In March of 2004, the injustices against the residents of Africville received international attention when the United Nations recommended that the Government of Canada pay reparations to the former residents.

Private Member's Bill Number 213 entitled *An Act to Address the Historic Injustices Committed Against the People of Africville*, was introduced in the Nova Scotia Legislature in 2005. The Bill's intent was to instruct the provincial government to issue a formal public apology. The Bill also required the establishment of a trust fund to be used for historical restoration as well as social and infrastructure development. The Bill never progressed beyond first reading.

Most recently, in February of 2007, Canada reported back to the United Nations Committee on the Elimination of Racial Discrimination by noting "that a feasibility study had been conducted on the reconstruction of Seaview Baptist Church on the former site of Africville and the establishment of an interpretive centre on the history of that community. An interim report had been presented to the former residents for consultation. Work on appropriate recognition of the history of Africville was ongoing."²³ The deep sense of grievance among the former residents and their descendants, as well as the Black community generally, remains outstanding.

The Bill never
progressed beyond
first reading.

THE POWER OF AN APOLOGY

There is a very long history of giving legal importance to apologies in the common law legal system. The act of criminal offenders apologizing to victims is often a significant factor in a judge's fashioning of an appropriate sentence, as it reflects an acceptance of responsibility as well as serves the objective of reintegration into society through public shaming. Civil lawsuits also pay attention to apologies in various circumstances. The law of defamation has always considered the presence of a pre-trial apology as affecting the extent of injury, and therefore the quantum of damages that may be awarded. Achieving an apology from the defendant is often one of the remedies that a plaintiff may request. More recently, the inclusion of an apology has been viewed as a vital element in resolving interpersonal disputes through mediation and other forms of alternative dispute resolution in the civil context as well as in conjunction with circle sentencing in the criminal sphere.

On the other hand, the common law based legal system can also impose unattractive consequences upon the apologizer. An apology that includes an acceptance of being the cause of injuries to others can be regarded as an acknowledgement of legal liability, whether as a confession to a crime or what can constitute a tort. Many insurance contracts contain a clause (known as admission and compromise clauses) that voids coverage whenever the insured admits liability. Similarly, many professional associations will regard issuing an apology for wrongdoing as grounds for investigation and potential discipline. Courts are normally free to consider the terms of any apologies rendered and their legal ramifications.

For these reasons, lawyers frequently advise clients (whether individuals, corporations, or governments) never to apologize or admit liability. Instead, legal advice will suggest that regret be expressed for what has happened ('I am sorry for your loss') rather than offer a true apology ('I am sorry that I hurt you'). Expressions of regret can be very important and reflect genuine emotion when delivered in the appropriate context (for example, to a friend or colleague on the death of a relative), however, they will utterly fail to carry the moral weight necessary to promote healing when coming from the source of the loss or injury. Seeking reconciliation on some level by the wrongdoer requires an apology to be authentic. It must express regret and sorrow unequivocally, be sincere and delivered in a timely fashion, be voluntary, represent genuine appreciation of the impact of the harm suffered through honest reflection, and admit the specific wrongs or mistakes of the perpetrator. Frequently,

a comprehensive and fully effective apology will include a commitment to determining how action will be taken to ensure that the injury or wrong does not reoccur, thereby further impacting the victim or others.

Legislatures in some jurisdictions have been stepping in for over two decades to try to discourage litigation relating to the issuance of an apology. The primary device selected to achieve this objective has been to alleviate the legal risk of tendering an apology. Massachusetts amended its evidence law in 1986 to declare that statements or gestures of regret are inadmissible as evidence of an admission of liability. California and Texas subsequently changed their evidence statutes along the same lines. Twenty-seven more states have done the same since 2001.²⁴

Australia has gone furthest, providing legal coverage in this area on the most widespread basis. All states and territories have amended their legislation concerning the tort of defamation to encourage the issuance of apologies without having such action constitute an admission of liability. For example, Western Australia overhauled its libel and slander laws in 2005 when it enacted the *Defamation Act*, which contains the following:

20. Effect of apology on liability for defamation

- (1) An apology made by or on behalf of a person in connection with any defamatory matter alleged to have been published by the person —
 - (a) does not constitute an express or implied admission of fault or liability by the person in connection with that matter; and
 - (b) is not relevant to the determination of fault or liability in connection with that matter.
- (2) Evidence of an apology made by or on behalf of a person in connection with any defamatory matter alleged to have been published by the person is not admissible in any civil proceedings as evidence of the fault or liability of the person in connection with that matter.
- (3) Nothing in this section limits the operation of section 38 [which permits measures to mitigate damages].²⁵

Except for the federal government, every Australian jurisdiction has also overhauled its general civil liability legislation in the last five years to deal with this topic. There is no uniform approach to addressing this matter. Queensland and the Northern Territory merely protect expressions of regret from being admissible in court. The legislation in South Australia and Victoria declare that an apology does not constitute a legal admission of fault or liability.

Tasmania and Western Australia have gone somewhat further as they cover both the non-admissibility purpose as well as it not being an admission. Their statutes also make clear that the statements made are not even relevant to the determination of liability. All of these statutes are restricted to protecting expressions of regret that do not contain explicit acceptances of fault. The most extensive legislative arrangements are in New South Wales and the Australian Capital Territory where “apology” is defined so as to encompass admissions of fault along with expressions of sympathy and regret.²⁶

British Columbia has been in the vanguard within Canada in attempting to come to grips with the need to apologize for past transgressions by its provincial government. Its attorney general, Colin Gablemann, delivered an apology in 1995 to those students who had been abused in the Jericho Hill School, a residential school for the deaf:

There is no excuse or justification for what happened. The victims bear no responsibility for events over which they had no control. We regret that they were exposed to these terrible experiences; we regret this especially because they were young and vulnerable children. It took great courage on their part to come forward and disclose the abuse they endured.²⁷

Students received a compensation package along with a letter of personal apology from the government for the harm caused. One of the recipients regarded the letter as unhelpful in the healing process since it was a generic one sent to all victims rather than acknowledging the specific injuries he suffered.

An apology may satisfy a complainant because it can aid the victim to forgive, although not to forget, and to move on. Often, public agencies are unwilling to render an apology for past wrongdoing for fear it indicates an acceptance of legal liability. The ombudsman of New South Wales supported legislation that would protect public agencies from legal responsibility for any apologies made in these terms:

This would not be detrimental to the rights or interests of members of the public who have legitimate legal claims against an agency as in practice, without legislation of this kind, an aggrieved person would probably receive no apology – and consequently, no admission of responsibility – at all.

In contrast, the practical consequence of introducing legislation of this kind should be that more public sector officials would be encouraged to say ‘sorry’ and more members of the public are more likely to feel satisfied that their grievance has been taken seriously. An apology shows an agency taking moral, if not legal, responsibility for their actions and the research shows that most people would be satisfied with that.²⁸

Canadian governments have been extremely wary of proffering formal apologies for fear that these statements could be interpreted as an admission of liability in any future litigation that might arise. There has also been a sense on the part of many governmental officials that the mere act of making an apology might itself raise the profile of the issue and trigger a flood of lawsuits. Some federal officials view the *Statement of Reconciliation*,²⁹ made in January 1998 by the Honourable Jane Stewart, then Minister of Indian and Northern Affairs, as being a major contributor to the avalanche of class-action lawsuits from residential school Survivors and their families, even though it fell well short of being a full apology as a result of strenuous pressure from legal counsel within the Department of Justice.

British Columbia was the first Canadian jurisdiction to introduce a statute that provides a safe harbour for apologizing. In 2006 the Ombudsman for the province issued a special report entitled *The Power of an Apology: Removing Legal Barriers*. The report declared: “When a person feels mistreated, having someone apologize for what took place often enables the person to forgive, to re-establish the relationship and move forward.”³⁰ British Columbia’s *Apology Act* became effective on 18 May 2006. The *Act* defines an “apology” as meaning “an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault in connection with the matter to which the words or actions relate.”³¹ The effect of an apology on liability is set out in section 2 of the *Act*:

- 2.(1)(a) does not constitute an express or implied admission of fault or liability by the person in connection with that matter,
- (b) does not constitute a confirmation of a cause of action in relation to that matter for the purposes of section 5 of the Limitation Act,
- (c) does not, despite any wording to the contrary in any contract of insurance and despite any other enactment, void, impair or otherwise affect any insurance coverage that is available, or that

would, but for the apology, be available, to the person in connection with that matter, and

(d) must not be taken into account in any determination of fault or liability in connection with that matter.

(2) Despite any other enactment, evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any court as evidence of the fault or liability of the person in connection with that matter.

Thus, the legislation is designed more broadly than the Australian precedents that influenced its creation. It is intended to enable individuals to deliver true apologies (rather than only expressions of regret and sympathy) without fear of legal ramifications. It covers all of the New South Wales legislative elements and ensures that insurance coverage is not impacted nor a defence based upon exceeding limitations periods waived by the act of making the apology itself. The actual legal consequences of this new law and whether it achieves the government's objective are not yet known.

In 2006, Saskatchewan Ombudsman Kevin Fenwick similarly announced that individuals and governments should be able to apologize without fear of legal repercussions. Bill Number 21, which is an amendment to the provincial *Evidence Act*, is intended to create opportunities for people to make statements or undertake actions of regret, sympathy, and apology without any implied admission of culpability. The Saskatchewan amendment, which became effective on 17 May 2007, is clearly intended to achieve British Columbia's purpose as it is drafted using almost precisely the same language.³² An apology is defined as "an expression of sympathy or regret, a statement that one is sorry or any other words or acts indicating contrition or commiseration, whether or not the words or acts admit or imply an admission of fault in connection with the event or occurrence to which the words or acts relate."³³ The substantive provisions are virtually identical to the British Columbia statute.

APOLOGIES AND RECONCILIATION

Apologies can be an essential step in efforts toward reconciliation. It may be an important initiative in helping both to heal a damaged relationship and the aggrieved party to heal. Furthermore, an apology can restore a party's self-respect and dignity, which could be an essential pre-condition to reconciliation. According to Dr. Lazare, an apology is a precursor to parties reconciling and moving on:

There are many people to be healed on all sides.

*Viola Robinson
AHF Board member
Mi'kmaq
Truro, Nova Scotia*

Apology is more than an acknowledgement of an offence together with an expression of remorse. It is an ongoing commitment by the offending party to change his or her behaviour. It is a particular way of resolving conflicts other than arguing over who is bigger and better. It is a powerful and constructive form of conflict resolution, embedded, in modified form, in religion and in the judicial system. It is a method of social healing that has grown in importance as our way of living together on our planet undergoes radical change. It is a social act in which the person, group, or nation apologizing has historically been viewed as weak, but more than ever is now regarded as strong. It is a behaviour that requires of both parties attitudes of honesty, generosity, humility, commitment, and courage.³⁴

To the Doukhobor children who had been institutionalized in residential school in the 1950s, the B.C. Attorney General made this statement:

We recognize that as children, you were caught in this conflict through no fault of your own. On behalf of the government of British Columbia, I extend my sincere, complete and deep regret for the pain and suffering you experienced during the prolonged separation from your families. We recognize and regret that you were deprived of the day-to-day contact with your parents and the love and support of your families. We recognize and we regret the anguish that this must have caused. We will continue to offer counselling to former residents and to your relatives—including your siblings, your offspring and your spouses—who wish to access this service.

We hope that this acknowledgment will enable you to work with us toward continued *reconciliation* and healing³⁵

For many of the victims, this statement was not a step toward reconciliation as it was merely an expression of “regret” rather than an express “apology.”³⁶ It is evident that the word “apology” is meaningful to many who have been wronged, and if the word is avoided, then the apology seems insincere. To be meaningful, an apology must be both an expression of wrongdoing and an acceptance of responsibility.³⁷

For his wrongful imprisonment and torture in Syria, to which the Canadian government contributed in no small measure, the Honourable Bill Graham, the former federal Minister of Foreign Affairs, offered Maher Arar this apology

For many of the victims, this statement was not a step toward reconciliation as it was merely an expression of “regret” rather than an express “apology.”

on 2 June 2005: “Clearly we would have preferred that he be gotten out earlier. And I’m very sorry that he was not, for obvious reasons.”³⁸ Although this was not the expression of apology and empathy that Maher Arar was seeking, he did express gratitude for this first acknowledgement of responsibility by the Canadian government.

In “An Analysis of Formal Apologies by Canadian Churches to First Nations,” Professor Janet Bavelas stated that “In order to achieve the potentially restorative and reconciling functions of apology, we need to reconsider both our assumptions and our practices regarding whether taking responsibility must always lead to increased liability.”³⁹ By not taking responsibility for the abuse, churches assumed that they were reducing the appearance that they were accepting liability; however, Bavelas’ report found that organizations that accepted responsibility reduced their liability costs.⁴⁰ In the United States, one report finds that thirty per cent of medical malpractice suits could have been resolved with a simple apology by the doctor.⁴¹

Often, an organization or corporation will await formal charges or a court decision before an apology is offered to those harmed. For example, after charges were laid against the Red Cross for the tainted blood scandal, it made the following apology:

The Canadian Red Cross Society is deeply sorry for the injury and death caused to those who were infected by blood or blood products it distributed, and for the suffering caused to families and loved ones of those who were harmed. We profoundly regret that the Canadian Red Cross Society did not develop and adopt more quickly measures to reduce the risks of infection, and we accept responsibility through our plea for having distributed harmful products to those who relied upon us for their health.⁴²

An apology does not undo what has been done, but it can significantly advance the healing process through the acknowledgement that a wrong has been committed and responsibility has been taken. An apology should not be avoided for fear of legal liability; in fact, it may reduce litigation. Sometimes hearing “I am sorry” has been a step toward reconciliation for certain racialized groups in Canada and holds great possibility for providing reconciliation for Aboriginal people.

Apologies alone are, however, clearly insufficient in situations where the state has oppressed specific groups. This is even more true in the context of colonization and gross human rights violations. The Co-Chair of Reconciliation Australia, Jackie Huggins, remarked, “reconciliation has always encompassed three things: recognition, justice and healing.”⁴³

To reconcile means to: “1. restore friendly relations between. 2 make or show to be compatible. 3 (reconcile to) make (someone) accept (a disagreeable thing)” from the Latin *reconciliare*, from *conciliare* as to ‘bring together.’⁴⁴ The objective today between Aboriginal peoples and the rest of Canada should be to achieve the first meaning of this word in the above definition and not the latter. It requires developing a shared vision of an interdependent society that acknowledges its past and deals with its horrors frankly and as positively as it can to avoid any reoccurrences. We must undergo a dramatic attitudinal change if we are to reach across cross-cultural differences so as to build positive partnerships for the future.⁴⁵ As indicated by Jackie Huggins, it also requires achieving justice. This means that there must be significant economic, political, social, and legal changes in our society.

Seeking reconciliation is not an easy road by any means as it is filled with contradictions and paradoxes and as it is such a morally loaded objective that naturally attracts different perspectives. John-Paul Lederach notes:

[R]econciliation can be seen as dealing with three specific paradoxes. First, in an overall sense, reconciliation promotes an encounter between the open expression of the painful past, on the one hand, and the search for the articulation of a long-term, interdependent future, on the other hand. Second, reconciliation provides a place for truth and mercy to meet, where concerns for exposing what has happened *and* for letting go in favour of renewed relationship are validated and embraced. Third, reconciliation recognises the need to give time and place to both justice and peace, where redressing the wrong is held together with the envisioning of a common, connected future (p.20).⁴⁶

The challenges are especially applicable when one wishes to reconcile conflicts between groups. These challenges are further compounded when cross-cultural communication issues arise amidst fundamentally different value constructs and world views. When major power imbalances and a history of

Some First Nation Elders have said that the government is almost hamstrung because of the word “liability,” that there are some in government who want to go further but they are bound by the legal implications of accepting responsibility and, therefore, being liable. As such, it is important to find a way for Aboriginal people and the government to meet in a safe, ethical place where they can speak frankly without fear of repercussion or liability.

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

racial prejudice are added to the soup, it becomes a very difficult liquid to stir indeed.

The word “reconciliation” is also a prominent factor internationally, particularly in the context of the development of thirty “Truth” or “Truth and Reconciliation Commissions” globally over the past twenty-five years. Although there is no consensus about what the term actually includes, or what reaching such a result would require, the International Center for Transitional Justice has developed the following working definition of reconciliation to work toward a better understanding of the ways in which it can be achieved in practice.

- Reconciliation is something that occurs in the civic or political sphere, rather than at the level of individuals.
- Legitimate reconciliation must be distinguished from efforts to use reconciliation as a substitute for justice.
- There cannot be significant inequities in the distribution of the burdens that reconciliation inevitably entails. It cannot involve transferring responsibilities from perpetrators to victims.
- Reconciliation efforts should not focus unduly on wiping the slate clean. It is not reasonable to seek unqualified closure or a comprehensive ideal of social harmony.
- Reconciliation cannot be reduced to a state of mind, nor can it expect extraordinary attributes on the part of those being reconciled.⁴⁷

INSTITUTIONAL EFFORTS TO PROMOTE RECONCILIATION

Australia has once again taken a leadership role in attempting to foster reconciliation between the descendants of the original Indigenous owners of the continent and islands and the newcomers. The Commonwealth Parliament voted unanimously to pass the *Council for Aboriginal Reconciliation Act 1991*. The Act’s preamble explains the rationales for, and circumstances surrounding, the legislation in these terms:

Because:

- (a) Australia was occupied by Aborigines and Torres Strait Islanders who had settled for thousands of years, before British settlement at Sydney Cove on 26 January 1788; and

- (b) many Aborigines and Torres Strait Islanders suffered dispossession and dispersal from their traditional lands by the British Crown; and
- (c) to date, there has been no formal process of reconciliation between Aborigines and Torres Strait Islanders and other Australians; and
- (d) by the year 2001, the centenary of Federation, it is most desirable that there be such a reconciliation; and
- (e) as part of the reconciliation process, the Commonwealth will seek an ongoing national commitment from governments at all levels to co-operate and to co-ordinate with the Aboriginal and Torres Strait Islander Commission as appropriate to address progressively Aboriginal disadvantage and aspirations in relation to land, housing, law and justice, cultural heritage, education, employment, health, infrastructure, economic development and any other relevant matters in the decade leading to the centenary of Federation, 2001.

The *Act* established the twenty-five-member Council for Aboriginal Reconciliation (CAR) to be reflective of both Indigenous and settler societies with a mandate to spark a national effort at reconciliation prior to the centennial of the Australian Constitution and its independence from the United Kingdom. The Council's goal for the end of its decade-long mandate was for the country to have achieved a vision of being, "A united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all."⁴⁸ The CAR developed its first triennial strategic plan, which was released on 29 May 1992 with the following eight issues defined as being critical to the success of reconciliation:

- .. a greater understanding of the importance of land and sea in Aboriginal and Torres Strait Islander societies;
- .. better relationships between Aboriginal and Torres Strait Islander peoples and the wider community;
- .. recognition that Aboriginal and Torres Strait Islander cultures and heritage are a valued part of the Australian heritage;
- .. a sense for all Australians of a shared ownership of our history;
- .. a greater awareness of the causes of disadvantage that prevent Aboriginal and Torres Strait Islander peoples from achieving fair and proper standards in health, housing, employment and education;

- “ a greater community response to addressing the underlying causes of the unacceptably high levels of custody for Aboriginal and Torres Strait Islander peoples;
- “ greater opportunity for Aboriginal and Torres Strait Islander peoples to control their destinies;
- “ agreement on whether the process of reconciliation would be advanced by a document or documents of reconciliation.⁴⁹

I don't believe people should be forced to accept a settlement. You cannot expect all those affected to jump for joy because the government decided that a certain amount of money would make everything all right. People need time to digest all the information and to decide what would be good for their families, their grandchildren, and their great-grandchildren. Give them the time they need to make an informed decision. Give time for everyone to heal. Give time for celebration of life.

Jessica Lafond, 23
Wet'suwet'en
Gilseyhu (Big Frog) clan
Prince George, British Columbia

Unfortunately, the council could not come close to bringing about the massive change required to meet these lofty targets as it lacked the necessary financial and legislative support from the Commonwealth Government. The presence or absence of political will is always a vital element in achieving social change. Nevertheless, the council's work had a profound impact upon Australian society before its ten-year sunset clause expired. One of the last activities of the statute-based CAR was to create an ongoing non-governmental organization (NGO) called Reconciliation Australia to continue its work.⁵⁰ One of the council's greatest successes was in promoting within Australian governments at all levels, businesses, NGOs, Indigenous organizations, and community organizations the idea of developing their own respective Reconciliation Action Plans (RAPs). The plans are intended to be the vehicle for these interested parties to work directly with Indigenous people in their vicinity to improve relationships for the benefit of all. Previously CAR, and now Reconciliation Australia, helps connect people to each other, offers some guidance, shares the experiences from elsewhere, and promotes the results. The overall purpose of all the RAPs is to close the seventeen-year life expectancy gap between Indigenous and non-Indigenous children through the promotion of education, health, and socioeconomic advancement for Aboriginal and Torres Strait Islanders. RAPs have been undertaken by an amazing number of local municipalities, large and small companies, charities, social agencies, and others.

Another striking achievement without federal government support was the creation of a National Sorry Day on 26 May 1998. Over 250,000 people walked across the famous Sydney Harbour Bridge two days later, along with many other marches across the nation, as an expression of regret for past injustices, a public reflection of shame that their governments had engaged in massive forced relocation of Aboriginal children to mission schools, and a desire to achieve reconciliation.⁵¹ A further 24,763 people signed 'sorry books' throughout Australia by 2002, and that number can increase through an online service.⁵² In 2005, the National Sorry Day Committee renamed 'Sorry Day' as

a 'National Day of Healing for all Australians' that continues to be marked by marches and public events around the country.

While the national government continues to refuse to acknowledge the continuing effects of the Stolen Generations experience, these measures by civil society, companies, and average Australians demonstrates that there is capacity to help in reconciliation efforts despite governmental intransigence and even outright resistance.

CONCLUSIONS

The scars from gross injustices likely run far too deep to hope that achieving complete reconciliation between *all* of the First Peoples and *all* the rest of Canadian society is possible within our lifetime. There are many people in this land who have no desire to reconcile, as the hurt and anger is too strong from injuries inflicted in the past. Many non-Aboriginal Canadians have little idea of our history so see no desire to pursue reconciliation.

On the other hand, First Nations, Inuit, and Métis peoples have consistently shown on a collective and individual basis an absolutely amazing level of tolerance, generosity, and willingness to share their territories, their values, and their knowledge with generations of newcomers. As well, there is a desire among a sizeable number of Canadians to rectify historic injustices and to try to forge new, honest partnerships as we chart our future together. We have, therefore, a truly unique opportunity to at least make real progress in such efforts toward achieving genuine reconciliation on a long term-basis.

The year 2017 will mark the 150th anniversary of Confederation and Canada's birth as a modern nation-state. What better way to possess the moral capacity to celebrate such an occasion than by achieving a genuine reconciliation within our country?

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An Aboriginal boy having his hair cut, 1960

Photographer: Sister Liliane

Library and Archives Canada, PA-195124

(This photo can also be found, along with many other resources, at www.wherethechildren.ca)

JOHN BOND

John Bond is a writer and editor living in Canberra, Australia. Since 1969 he has served with Initiatives of Change, an NGO working to build trust across the world's divides. Ten years in Africa opened his eyes to the impact of colonialism and to the attitudes of racial superiority still prevalent today. On his return to Australia he worked to overcome discrimination against Aboriginal Australians. When the *Bringing Them Home* report brought to light the tragic impact of the policies that removed tens of thousands of Aboriginal children from their families, he helped focus national attention on this report. In 1998, he was elected Secretary of the National Sorry Day Committee and served in this capacity until 2006. He was awarded the Medal of the Order of Australia for service to the Australian community through this committee's work. He is now a member of the Stolen Generations Alliance: Australians for Healing, Truth and Justice.

John's contribution to this collection, *Reconciliation: A non-Indigenous Australian Perspective*, provides an overview of Australia's treatment of Aboriginal people and the country's efforts at reconciliation. Interestingly, the federal government has lagged far behind the Australian public in reaching out to those Aboriginal people who, as children, were torn from their families and placed into institutions and foster homes. While the federal government has never apologized for the removals, more than half a million Australians signed Sorry Books. John proposes that life expectancy be used as a test of reconciliation. In addition to a formal apology, he calls for a range of socio-economic programs, including the provision of adequate, culturally appropriate health care and improved housing. While this article specifically addresses issues surrounding reconciliation between Aboriginal and non-Aboriginal people in Australia, the author's observations proffer lessons for Canada as we move into a formal reconciliation process of our own.

RECONCILIATION:
A NON-INDIGENOUS AUSTRALIAN PERSPECTIVE

Sir William Deane, Governor-General of Australia from 1996 to 2002, wrote that reconciliation would be achieved in Australia when “the life expectancy of an Aboriginal baby is in the same realm as that of a non-Aboriginal.”¹

That is a good test of reconciliation. Life expectancy is a crucial test of a society’s livability. If a person feels alienated from the society in which they live, depression sets in. They become careless and so more accident-prone, they try to lose themselves in addiction, and they give up seeking medical attention even if it is available. And so they die early.

So how will we reach Sir William’s goal?

At present we are far from it. Aboriginal Australians feel alienated from the wider Australian society. They die seventeen years younger than their non-Aboriginal compatriots.² Their lifespan is shorter than that of the inhabitants of some of the world’s poorest countries, such as Bangladesh, despite Australia having one of the most sophisticated medical systems in the world. If we are to generalize about the condition of Aboriginal Australia, “depression” is an inadequate word. It would be more accurate to describe it as a “traumatized community.”

The causes of this trauma are not hard to find. Since Britain’s colonization of Australia began in 1788, the story of the Aboriginal people has been one of dispossession, massacre, and disease. Unlike most colonized countries, Australia’s settlers signed almost no treaties with the original inhabitants, and those that were signed were repudiated by higher authority. They took control of the continent and declared Australia *terra nullius*—nobody’s land. Anyone could see that this was a legal fiction, since Aborigines had lived on that land for thousands of years, but this law gave the settlers the right to push Aboriginal people off any land they wished for. Only in 1993 did Australia’s High Court acknowledge this fiction by agreeing that Aboriginal Australians had native title rights by virtue of prior occupation. The rights granted, however, were so limited that few Aboriginal Australians have been able to secure any benefit.

In other words, we non-Indigenous Australians are here because we proved ourselves militarily stronger than the original inhabitants, and then we swamped them with immigrants. It is not much of a legal basis for our occupation. We have to find other arguments to justify our marginalization of

The authorities looked on Aboriginal culture as worthless, and they saw mixed-race Aboriginal people as a potential source of unrest.

the inhabitants who we displaced, and the main argument is that we are *better* people—culturally more advanced, technically more proficient, agriculturally more productive, and above all, morally superior.

This last attribute is especially dubious given our treatment of the people we displaced, so we bolster the argument by a constant denigration of Aboriginal people. Australia's best-known social researcher, Hugh Mackay, says that whereas white Australians are reasonably tolerant toward most ethnic groups, the hostility toward Aborigines is immense.³ That attitude is bred into white Australians from birth. It plays a vital role in our self-esteem. It enables us to see ourselves as a friendly people, and to maintain that self-image, we try not to look at that record. There is little enthusiasm for history in Australian schools, certainly not for Aboriginal history.

Because that record stinks. Ever since 1788, Aboriginal people have been treated as expendable whenever they threatened white interests. At first they were simply killed, and massacres took place all over the country until the 1920s.⁴ This, coupled with the impact of diseases such as smallpox, meant that the oldest living culture on the planet came close to extermination, and it is still under serious threat today with Aboriginal languages dying steadily. Some humane white people worked courageously to prevent the killings and cure the diseased, but the overall picture is grim.

The massacres died out in the early years of the twentieth century, but by then white Australians had perceived a new threat. As the number of full-blooded Aboriginal people decreased, the population of people of mixed Aboriginal and white parentage increased, largely due to predatory white men. (Until well into the twentieth century, Australia's white population had a substantial gender imbalance, with a preponderance of men.) There was alarm at the growing number of mixed-race children, especially as most of them grew up with their mothers in Aboriginal communities.

The authorities looked on Aboriginal culture as worthless, and they saw mixed-race Aboriginal people as a potential source of unrest. In their view, if the children were denied access to their Aboriginal heritage, they would adopt the culture of white Australia. If they married white people, their Aboriginal features would disappear within a couple of generations. Western Australia's so-called Protector of Aborigines, A.O. Neville, put bluntly the view that either Australia would "have a population of one million blacks," which he had told a national conference, or "merge them into our white community and eventually forget that there were any Aborigines in Australia."⁵ So, state governments passed laws enabling them to remove children from their Aboriginal families

and place them in white institutions, often run by churches, or with white foster parents.

These laws were eventually repealed in the 1960s, though the practice of removal went on until the 1980s.⁶ Discrimination against Aborigines, however, did not cease. Only this year (2007) and for the first time, an Australian policeman was charged with the manslaughter of an Aboriginal prisoner. In this case, the prisoner's liver was almost torn in half, and four of his ribs were broken. Only one person, a policeman, could have caused these injuries. Yet, when he came to trial, the jury found him not guilty either of manslaughter or of assault.

It is impossible to imagine such a verdict had the victim been white. From the earliest times of white settlement, Aboriginal people have been treated as a conquered people, and the Australian authorities have still not made the transition to recognizing them as full citizens, entitled to all the benefits available to other citizens.

Comparable countries such as Canada and New Zealand have made this transition. This does not mean that all is well in those countries, but their Indigenous people are treated with a respect far in advance of anything seen in Australia, and—to return to Sir William's test—their life expectancy reflects this. Whereas Indigenous Australians die seventeen years younger than the wider Australian population, Canada and New Zealand have reduced this gap to about seven years, and it is still improving.⁷

How can Australia be encouraged to make this transition?

It may be that we have to be pushed into it. Sooner or later, if Aboriginal people continue to be humiliated, they will turn their anger toward white society. Think of the destructive impact of an angry Aboriginal person with a box of matches on any hot and windy day. If change comes in this way, it will be preceded by a long and bitter struggle, and it will leave a legacy of hatred like that of Northern Ireland. This will be our fate if we continue to close our eyes to the terrible injustice that Aboriginal people face, which makes them feel like outcasts in their own land. At present, short-sighted government policies are leading us to that situation, and there is a desperate need for wiser policies.

What are the forces that will prompt us to choose wiser policies? In my view, the most powerful force is the conscience of ordinary Australians, many of whom feel uneasy that they live in comfort at the expense of the suffering of the continent's original inhabitants. Usually this unease is unspoken. Few questioned the policy of removing children from their families while these

policies were in force. They were removed from wretched conditions, successive governments said, to be given all the benefits of Western society, and they should be grateful. Do not worry about the mothers, they were told, as “[t]hey soon forget their offspring.”⁸

Yet, in their hearts, many Australians knew that this was far from the truth. In 1997, when a national inquiry reported on the extent of tragedy caused by these policies, and the government tried to ignore the inquiry’s report, there was an outpouring of feeling. More than half a million people signed Sorry Books.⁹ The call for an official apology became a national issue and an embarrassment to a prime minister who refused to apologize. Three years later, more than a quarter of a million people walked across bridges in all major Australian cities and many towns to demonstrate their longing for a new relationship between Aboriginal and non-Aboriginal Australians.¹⁰ Many of them carried placards calling for an official apology.

When one-quarter million Australians care enough about an issue to get out of bed on a cold Sunday morning and join a city-centre walk, there must be many millions more who feel similarly. Those walks demonstrate that a significant proportion of Australians want to end discrimination against Aboriginal people. Now we need national leaders who will seize that mandate and turn it into reality.

How can our national leaders be encouraged to seize that mandate? And how can the leaders persuade the Australian electorate that reconciliation is worth the price? Because the price will be large.

It would be a setback to the process if the government were to try to substitute itself for the grassroots movement for reconciliation. If reconciliation is seen as principally a government program, this would provoke two responses: those who dislike the government are lukewarm since they see support for reconciliation as strengthening the government and the rest think that the government has it all in hand, so there is no need for the community to do much about it.

In fact, there is a vital role for every individual. Reconciliation is only a creative force if it works at the grassroots level, for example, if it means that a non-Indigenous housewife lends her Aboriginal neighbour a bottle of milk just as she would her non-Indigenous neighbour. If a person is to flourish, he or she must feel the support of those around them. The unspoken hostility, which many Aboriginal people feel in white neighbourhoods, is immensely destructive to their morale, and low morale leads directly to tragic consequences such as addiction.

On the positive side, the grassroots movement for reconciliation in Australia has shown that the community can play a role in healing trauma. Professional counsellors sometimes underestimate the role that untrained people can play, and there is no doubt that professional training is a tremendous asset. But where trauma is widespread, as among Aboriginal Australians, many who suffer may not receive any help unless the wider community is enlisted. The Australian experience shows that in many people there is an innate understanding of the steps needed to promote healing. When encouraged to get involved, they have known how to help by caring for the person in practical ways, giving them the opportunity to tell their story should they wish to do so, and making them feel welcome in their locality. Through this involvement, they have been given the opportunity to see their society through Aboriginal eyes.

Community support to end discrimination is not a recent phenomenon. In the late 1950s, a group of Aboriginal and white Australians came together and formed the Federal Council for the Advancement of Aboriginal and Torres Strait Islanders (FCAATSI)¹¹ to work toward this aim. They decided to focus on changing two clauses in the Australian Constitution that encouraged official discrimination against Aboriginal people.

The FCAATSI leadership did not find it easy to persuade their followers to focus on an issue that seems far removed from immediate needs, such as decrepit housing and non-existent health services, but they gradually won support and set to work to convince the government to hold a referendum and to convince the non-Indigenous community to support this. When it took place in 1967, it was supported by an overwhelming ninety-one per cent of the Australian people.

This degree of support played an important role in the advances in the following decade, during which large areas of land were handed back to Aboriginal people. Today, this amounts to thirty-two per cent of the total Northern Territory.¹² Legislation was passed giving Aboriginal councils control over much that took place on this land, including mining ventures. However, little money was allocated to making the communities economically viable, and far too little was done to improve the overcrowded and crumbling housing or even to ensure adequate primary health care.

During the 1960s, the government decided that Aboriginal people should be paid the same wage as their non-Indigenous counterparts and should receive the same unemployment benefits.¹³ These measures were a brave attempt to end a glaring injustice and, for Aboriginal people living in urban areas, were an important step forward.

We need to examine where we are spending our health care dollars and look for the linkages to residential school issues. Millions of dollars are spent each year on prescription drugs, and much of that is to medicate personal disempowerment, depression, and despair. We need to develop a framework for measuring the state of reconciliation based on the health of people.

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For many thousands of non-Indigenous Australians, this was the first time they had sat down with Aboriginal people in an atmosphere conducive to genuine discussion.

In the rural areas, however, where many Aboriginal people were employed on cattle stations and lived with their families on these stations, it was a different matter. The new measures were introduced with no thought for the station owners suddenly faced with a vast increase in their wages bill. Thousands of Aboriginal workers were laid off, forcing them and their families to move to nearby towns and settlements where the lack of housing meant they had to live in shanties on the town's outskirts. Able to claim unemployment benefits with no rent to pay, they suddenly had access to large amounts of cash. Cast out from their known world into depressing circumstances, the lure of addiction often proved too strong for these Aboriginal workers to resist, and alcoholism became rampant in many areas. This has too often been the pattern in Aboriginal policy. Ideologically driven policies, from both sides of politics, have proven to be destructive to Aboriginal people.

In 1989, the federal government established the Aboriginal and Torres Strait Islander Commission, with an Indigenous chair and elected commissioners, a budget of several hundred million dollars, and authority over a network of regional Indigenous councils. Attempts were made to develop a treaty with Aboriginal people. In the end, however, fear of an electoral backlash meant that this attempt was abandoned and, instead, in 1991, the government established a Council for Aboriginal Reconciliation composed of eminent Australians from both the Indigenous and the wider communities. It was headed by an articulate Aboriginal person, Patrick Dodson, a former priest from the Kimberley region of Western Australia. The council was given a substantial budget and offices in the Department of Prime Minister and Cabinet.

During the following years, the council made a remarkable impact on Australian attitudes. Their strategy was to bring together Aboriginal and non-Aboriginal people in small discussions all over the country. They produced material for groups to organize their own study circles and publicized these widely. There was a large response: universities, colleges, churches, and libraries invited their clientele to take part in a course of weekly meetings. Hundreds of study circles met over the following five or six years. Usually, they were a group of ten or twenty non-Indigenous Australians meeting with three or four members of the local Aboriginal community. For many thousands of non-Indigenous Australians, this was the first time they had sat down with Aboriginal people in an atmosphere conducive to genuine discussion.

The council arranged similar encounters at an official level. In towns and city suburbs throughout the country, all-day seminars were held, bringing together the civic officials, magistrates, police, and business representatives with local Aboriginal leaders. Again, for many who take on leadership in their towns and

suburbs, this was the first time they had participated in a serious discussion with Aboriginal people. Imperceptibly, attitudes began to change.

In 1987, the government launched a Royal Commission into Aboriginal Deaths in Custody,¹⁴ which investigated why so many Aboriginal people took their own lives while in custody. This commission explored the lives of ninety-nine such people, and found that forty-three of those who had died had been removed from their families as children under the forced removal policies.

This brought government attention to the need to respond to the requests for an inquiry into the removal policies. The Aboriginal child care agencies, voluntary bodies that had grown in the absence of government support for child care, had been agitating for this for years. They had endured a long and often heartbreaking struggle. At last, in 1995, the federal government agreed and chose a former High Court judge, Sir Ronald Wilson, to chair the inquiry. During the next two years, the inquiry heard from, or received submissions from, 777 people and organizations, of which 535 were Indigenous people who told of their experiences of forcible removal.

By the time the inquiry reported in 1997, an election had brought in a new federal government. Their view was that Aboriginal interests had won too many concessions, thanks to an undue sense of guilt among white Australians, and they took steps to “swing the pendulum back,” as the new Prime Minister expressed it. Then Wilson’s report, *Bringing Them Home*, landed on their desk. Its 680 pages told in heart-rending detail of the agony endured by Aboriginal people as a result of the removal policies.¹⁵

This was precisely what the government did not want to hear. For eight months they made no response except to say that there would be no apology and no compensation would be paid. Several government ministers attempted to discredit the report.

The public reaction was totally different. *Bringing Them Home* sold in far greater numbers than any comparable report, and the tone of letters to the newspapers showed that many people were horrified by their government’s cold-hearted response. Most may not have understood much about Aboriginal people, but everyone could understand the pain of a mother whose child has been forcibly removed. Speaking a few weeks after the release of the report, Aboriginal Social Justice Commissioner Mick Dodson told an Aboriginal conference:

We have seen a most extraordinary turn of events in this country.
Day after day and week after week the newspapers and airwaves

Stolen Generations
people live in every
town and in most
suburbs of our cities.

have been jammed with talk about our families and children. Day after day the letter pages in the papers are filled with the reactions of ordinary Australians who are horrified at the truth that they never knew. Never before have so many Australians turned their attention to our families. Never before has Australia really known or cared about our children, children taken from the arms of their mothers, taken from their culture.¹⁶

At that stage, the government had shown every sign of ignoring the report, but as community concern welled up, the tone of official pronouncements softened. Eventually, the government announced that they would put sixty-three million dollars toward adopting a few of the report's recommendations. Link-up services, which bring together Aboriginal families separated by the removal policies, received government funding, as did counselling services for the Stolen Generations.¹⁷

However, the sums invested were totally inadequate to meet the need. Where Canada, faced with a similar situation, has invested hundreds of millions of dollars in its Healing Strategy to address the legacy of the residential school system, Australia has invested only tens of millions. Few Stolen Generations people are able to receive help from health professionals.

Some of the Stolen Generations sought redress through the courts. The government paid expensive lawyers to oppose them. The best-known case in which two members of the Stolen Generations sued the government for wrongful treatment cost over ten million dollars. In his judgment in August 2000, Justice O'Loughlin accepted that both had been abused in the institutions to which they had been taken, but he could not find that the government bore any responsibility for this abuse, even though government officers had removed the children to the institution, and the case was dismissed.¹⁸

Perhaps it was this intransigence that galvanized so many Australians. Stolen Generations people live in every town and in most suburbs of our cities. Many non-Indigenous Australians would have encountered them at some stage—at school, in clinics, or in welfare offices. Alienated as they are by traumatic experiences in childhood, they are often unable to make friends with their neighbours. Their neighbours, having no concept of what they have endured, are unable to bridge the gulf of misunderstanding. Often, the Stolen Generations' only friends are those they grew up with in their institution. Since the report appeared, however, many of these neighbours have reached out to the Stolen Generations, building bridges across the gulf.

The person principally responsible for focusing national attention onto the report was Sir Ronald Wilson. He had been profoundly affected by the inquiry.

This Inquiry was like no other I have undertaken. Others were intellectual exercises, a matter of collating information and making recommendations. But for these people to reveal what had happened to them took immense courage and every emotional stimulus they could muster.

At each session, the tape would be turned on and we would wait... I would look into the face of the person who was to speak to us. I would see the muscles straining to hold back the tears. But tears would stream down, still no words being spoken. And then, hesitantly, words would come.

We sat there as long as it took. We heard the story, told with that person's whole being, reliving experiences which had been buried deep, sometimes for decades. They weren't speaking with their minds, they were speaking with their hearts. And my heart had to open if I was to understand them.¹⁹

This affected him deeply. "I came to this inquiry as a man over the hill at 73, with fifty years behind me as a hardboiled lawyer, mixing it with all sorts of antagonists," he told an overflow audience in Canberra, the national capital, "and yet this inquiry changed me. And if it can change me, it can change our nation."

That was no rhetorical statement. From then on he spoke publicly in forum after forum, drawing crowds in their hundreds:

Children were removed because the Aboriginal race was seen as an embarrassment to white Australia. The aim was to strip the children of their Aboriginality and accustom them to live in a white Australia. The tragedy was compounded when the children, as they grew up, encountered the racism which shaped the policy, and found themselves rejected by the very society for which they were being prepared.²⁰

He asked for apologies from Australian governments, churches, the police, and all who had been involved in implementing the removal policies and led the way himself. "I was Moderator of the Presbyterian Church in Western Australia at the time we ran Sister Kate's Home, where 'stolen children grew up,' he said. 'I was proud of the home, with its system of cottage families. Imagine my pain when I discovered, during this Inquiry, that children were sexually abused in

those cottages.”²¹ He and the Presbyterian Church apologized wholeheartedly to the Aboriginal people.

His actions struck a chord. In the following months, most of Australia’s state parliaments and churches held formal ceremonies to hear from representatives of the Stolen Generations and to apologize for their role in this tragedy. These were profoundly moving events, which sent a burst of hope through the Aboriginal community that perhaps a new day was dawning.

A bigger ceremony was yet to come. One recommendation of the *Bringing Them Home* report was that a Sorry Day be held annually to commemorate the tragedy. This had been proposed by several of those who gave evidence to the inquiry when asked what could help the healing process.

Sorry is a potent word. Sir Ronald Wilson understood the longing of Aboriginal people to hear the word *sorry*. As a result of the Inquiry, he had realized that, to Aboriginal people, “sorry” holds far more emotional power than “apology.” When Aboriginal people come together to grieve after a death, they describe this as “sorry business.” Sitting together, they help each other come to terms with a painful loss and find strength to go on. Few non-Aboriginal Australians understand this depth of meaning, but they understand the need to apologize for cruel and misguided policies. And to many, “apology” also has emotional depth. As Sir Ronald pointed out, “apology means understanding, a willingness to enter into the suffering, and implies a commitment to do more.”²² So, even though perceptions differ, a Sorry Day would be meaningful to both Aboriginal and non-Aboriginal Australians.

The federal government was not interested. Could a Sorry Day be held on a community basis? Sir Ronald consulted spokespeople for the Stolen Generations, and they jointly invited thirty people, Aboriginal and non-Aboriginal, to meet and consider this question. At that meeting, in January 1998, the participants decided to try. They chose May 26th as the day, since the report had been tabled in the federal Parliament on 26 May 1997 and elected two co-Chairs, one Aboriginal and one non-Aboriginal. In a statement, the committee described Sorry Day as

a day when all Australians can express their sorrow for the whole tragic episode, and celebrate the beginning of a new understanding ... Indigenous people will participate in a Day dedicated to the memory of loved ones who never came home, or who are still finding their way home ... It can help restore the dignity stripped from those affected by removal; and it offers those who carried out the policy -

The Government of Canada can lead by setting up the national attitude toward reconciliation. There should be forums to continue the healing because the healing is far from completed. And let our stories be broadcast nationally and in all the schools across the country so everyone knows, and the validation we seek from Canada happens.

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and their successors - a chance to move beyond denial and guilt. It could shape a far more creative partnership between Indigenous and non-Indigenous Australians, with immense benefit to both.²³

A former Governor-General of Australia, Sir Zelman Cowen, accepted their invitation to be a patron. Then in March, the idea was launched to the nation through the media.

The response exceeded all expectations. The Sorry Day Committee was merely a group of people with almost no money and no ability to organize events across the nation. This did not matter because people organized their own events. Aboriginal and non-Aboriginal Australians met to plan: artists painted, musicians composed, and writers and playwrights wrote. A well-known actor created *Sorry Books*—manuscript books in which people could express their apology. More and more books were produced as demand grew from schools, public libraries, and town councils. Soon, several thousand books were in circulation, and more than half a million people wrote messages, many of them telling of personal experiences that prompted them to contribute.

When the day arrived, it was commemorated by a great number of events. There were theatrical presentations, cultural displays, and town barbecues. Universities, government departments, local councils, and churches held gatherings to hear from Stolen Generations people. At many of them, the Sorry Books were ceremoniously handed to local Aboriginal elders. Over half of the 30-minute national TV news that evening was devoted to Sorry Day events and to the heartfelt response of Australia's best-known Aboriginal leaders.

Why did Sorry Day touch such a chord? One of the deepest human pains is that of a mother who loses her child or a child its mother. Yet the gulf between Aboriginal and non-Aboriginal Australians was simply too immense for even this pain to flow across it. *Bringing Them Home* exposed this gulf, and many Australians were shocked. Sorry Day was a chance to accept blame and to do something about it. As one person expressed it:

I thought back to my primary school classroom. I can name every person in that class except the four Aboriginal boys who sat at the back of the class, never asked a question, stuck with each other in the playground, never played with the rest of us. I looked on them as incredibly dull. When I read *Bringing Them Home*, I began to understand what they had probably endured, and why they acted as they did. And I felt ashamed.²⁴

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The federal government was taken aback by the strength of the Day. They had no idea how to respond to a campaign that included many people active on their side of the politics, so they stayed silent and aloof.

The Stolen Generations were deeply moved. For the first time, they felt that the Australian community understood what they had gone through. An Aboriginal commissioner who carried responsibility for health issues illustrated the change. "In the past," he said, "when I visited non-Indigenous health officials, I found a resistance to my argument that Indigenous people faced particular health issues, and health professionals needed to be trained to recognise these. Since Sorry Day I have discovered far more openness to these ideas."²⁵

Now, many of the Stolen Generations felt that the way was open towards healing. From across the country, many of them met together. Out of their discussions came a decision to launch a "Journey of Healing." A prominent Stolen Generations woman, Lowitja O'Donoghue, became its patron.

The Journey of Healing's underlying concept is that if the wounds are to be healed, both the government and the community, Aboriginal and non-Aboriginal, have a vital role. It offers every Australian the chance to be part of healing this deep national wound, and many have responded. Hundreds of events are arranged each year, principally on the anniversary of Sorry Day, bringing together Aboriginal and non-Aboriginal Australians. In many places, radio stations invite Stolen Generations people from the neighbourhood to tell their stories. All over the country, ordinary Australians are learning what many of their Aboriginal compatriots endured, not in the abstract, but through people they bump into in the supermarket. Understanding is growing, and people who have felt alienated for years are experiencing the welcome of their local communities. In a supportive environment, they can begin to heal.

In 2001, Brian Butler was the ATSIC²⁶ Commissioner responsible for Stolen Generations issues. "Wherever I go, I see spin-offs of the Journey of Healing," he told a meeting of the National Sorry Day Committee that year. "The work you are doing as Committees is important, but your effect has gone far wider than that. It is developing into a widespread social movement."²⁷

The Executive Director of Canada's Royal Commission on Aboriginal Peoples, after a visit to Australia, said that whereas Canada has done much more at a government level to resolve the grievances of those who were removed, Australia has done much more at a community level. "Both are needed for healing to take place," he concluded.²⁸

In any society, discrimination is only overcome as individual consciences become more sensitive. Sadly, the past decade has seen constant scapegoating of Aboriginal people by the federal government and a consequent dulling of the national conscience.

This has been noted in international forums, and disdain for Australia has grown in the international community. A country that was seen as moving towards remedying the cruelties of the past is now seen as perpetuating them. A country that was moving steadily away from a racist past now seems to be pandering to racism again, and there is much to justify this view. There are fewer Aboriginal people at university than there were a decade ago and fewer in the federal public service. Aboriginal people are being squeezed out of our national life.

Mahatma Gandhi said that a country could be judged by the way it treats its most disadvantaged citizens. Australia's most disadvantaged citizens are its Aboriginal people. Government policies and inaction have seriously set back Aboriginal well-being at a time when Canada, New Zealand, and the United States are all making steady progress. If Australia becomes determined to catch up, respect will be restored in international forums, particularly in the forums of our near neighbours in Asia and the Pacific, whose experience of colonialism has left them with a strong aversion to white domination.

That is why government has moved through the past decade to privatize reconciliation—moving it out of the Prime Minister's Department, then out of government responsibility altogether—which is short-sighted. Reconciliation is vital to the future of Australia, and it can be achieved. When denial of the ugly side of our history is overcome and the guilt that accompanies this denial, it will be a freeing experience for all Australians. If we can learn to accept the truth about our history, it will engender a new respect for Aboriginal people. This is vital. This fragile continent faces grave ecological challenges in the next few years, and scientists have stated that these challenges will only be met through the application of both Aboriginal experience and Western expertise.

The federal election in November 2007 brought a change of government and, with it, the hope that this trend will be reversed. The new Prime Minister, Kevin Rudd, has committed himself to apologize to the Indigenous community for the policies that removed their children from their families. This could mark a turning point in government commitment to Indigenous well-being. Coming after years of prevarication on the subject, a wholehearted apology would make clear that scapegoating is coming to an end, as long as it includes measures for healing and reparation.

If the new government genuinely intends to achieve reconciliation, it will take several steps. Firstly, it will provide adequate and culturally appropriate primary health care to Aboriginal people across the country. At present, this is grossly underfunded, and it will need to increase by several hundred million dollars per year. Australian health professionals are united in their conviction that with an input of this dimension, they could reduce the Aboriginal death rate by a third within a decade. We would then be on the way to achieving Sir William Deane's target. Among other steps, they will need to:

- ✦ improve Aboriginal housing. Fifteen people in a three-bedroom house is a recipe for disease, and this is the situation in many Aboriginal communities;
- ✦ consult Aboriginal people across the country to develop an adequate structure for national Aboriginal representation;
- ✦ meet with representatives of the Stolen Generations and with others who have been grievously wounded by misguided past policies to reach agreement on reparations. The removal policies grew out of the white authorities' determination to control almost every aspect of the lives of Aboriginal people. Healing depends on abandoning this control by fully involving the victims of those policies in measures towards healing;
- ✦ use their media access to change the image of Aboriginal people among the wider Australian community. Government media statements have focused on Aboriginal failures on such things as sexual abuse, addiction, and domestic violence in Aboriginal communities. Aboriginal achievement is rarely mentioned. The result is that Aboriginal people are seen as incapable, dysfunctional, and immoral. It is a grossly unjust picture;
- ✦ improve access to education in Aboriginal communities. This will entail a major program of school-building and of improving existing schools;
- ✦ implement rural development programs in remote Aboriginal communities and provide the infrastructure and training necessary to ensure that these communities become viable economic entities. There is immense expertise in rural development in countries such as India from which Australia could learn;
- ✦ give substantial support to reconciliation groups without attempting to dictate to them. Reconciliation initiatives will differ from region to region, and local groups must be given the authority to develop their own initiatives

within an agreed upon framework for funding support. The study circles should be revived and encouraged; and

- ✦ develop voluntary programs that enable people with expertise needed in Aboriginal communities, urban and rural, to spend several months in that community to share their expertise. Among the million people who walked for reconciliation in 2000 will be a substantial number who will wish to take part in such a scheme, including medical professionals, tradesmen, and educators. They can be an immense asset, as they will not only share their expertise, but will build friendships leading to further visits and interchanges. This will help break through the ignorance that allows many Aboriginal communities to remain poverty-stricken despite Australia's prosperity.

Fortunately, Australia's minerals are in demand around the world, and the economy is strong. If the political will is there, the funds can be made available for these urgent tasks.

Implementing these measures will initiate a major change in Australian society. This is needed for our very survival as a society. The Aboriginal population of Australia is increasing faster than the rest of the population, and the proportion of Aboriginal people in some of Australia's areas of vital ecological importance is increasing. In the years ahead, we will more and more depend on Aboriginal people to maintain a sustainable environment with healthy waterways and pollution-free foodstuffs.

Take the huge basin of the Murray and Darling rivers, for instance, where much of Australia's food is grown. The Aboriginal population in that basin is increasing, and the non-Indigenous population is decreasing. More and more we will depend on Aboriginal people to ensure those rivers are free of salt and other poisons. They will not put their energies into such tasks if they are despised by the wider community. Only if respect for them grows will they do what Australian society asks of them.

The challenge before the new government will be to persuade the Australian community that large sums must go into Aboriginal well-being. There is clearly a substantial portion of the population that will give this support. With positive government leadership, there is every prospect that an imaginative plan would attract the support of most Australians.

When Aboriginal people see that the government is serious about meeting the immediate needs, this will help to create a climate of trust in which the

more difficult task can be undertaken—the development of a treaty between the government and Aboriginal Australians. When this has been achieved, no longer will it be possible to accuse Australians of treating the Aboriginal community as a conquered people. They will be able to take their place as full citizens, both in law and in practice. Only then will Australia have taken a major step towards full maturity as a just, democratic nation.

NOTES

¹ Cited in: Kinnear, Audrey Ngingali and Johnj Brown (2001). The next step on the road towards reconciliation. *The Canberra Times*, 11 January 2001. Retrieved 24 September 2007 from: http://canberra.yourguide.com.au/detail.asp?story_id=14253

² Australian Bureau of Statistics (2005). *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, 2005*. Retrieved 26 November 2007 from: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/640EE697EF5A3520CA2570980024296B?opendocument>

³ Hugh Mackay made this point in a lecture, *Australia at a Turning Point*, at the National Library, Canberra, on 18 May 2002 in response to a question from me. He has made similar points frequently. Here are two instances immediately found on the internet. In the 20 June 2005 edition of *The Age* (the main Melbourne broadsheet newspaper) he wrote, "It's Australian to ... reserve our nastiest prejudices for indigenous people" (see: <http://www.theage.com.au/news/hugh-mackay/just-who-is-unaustralian/2005/06/19/1119119722702.html>). Mackay has also said that many Australians carry a "huge but unadmitted collective guilt" about Aborigines that is reflected in the "most appalling racist humor reserved for Aborigines" (see: <http://query.nytimes.com/gst/fullpage.html?res=9F07E4DD103BF93BA25757C0A9629C8B63&n=Top/Reference/Times%20Topics/Subjects/A/Aborigines>).

⁴ Mesher, David (2007). The Spectrum of Spectral Colonisation in John Scott's *Warra Warra*. *Journal of the Association for the Study of Australian Literature Special Issue*:130–139.

⁵ Speech at Commonwealth-State Native Welfare Conference, Canberra, 1937, as cited in: Knightley, Phillip (2001:para. 3). *Longtime Australian Policy: Kidnapping Children from Families*. The Center for Public Integrity, online investigative journal. Retrieved 6 December 2007 from: <http://www.icij.org/report.aspx?aid=313#>

⁶ From the report *Bringing them Home* and can be read at: www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen/

⁷ Australian Government (2006). Department of Health and Ageing Factbook 2006: Life expectancy and mortality (retrieved 25 September 2007 from: <http://www.health.gov.au/internet/wcms/publishing.nsf/Content/Factbook2006-1~factbook2006-ch6-introduction~chapter6-sect-3>); Statistics New Zealand (2007). Demographic Trends 2006 (retrieved 26 September 2007 from: <http://www.stats.govt.nz/NR/rdonlyres/81671378-C7DF-42A3-8CB1-308FF2D3E024/0/DemographicTrends06amendedtable602.pdf>); Canadian Institutes of Health Research (no date). Aboriginal Health (retrieved 25 September 2007 from: http://www.cihr-irsc.gc.ca/e/documents/aboriginal_health_mpkkit_2005_e.pdf).

⁸ "I would not hesitate for one moment to separate any half-caste from its aboriginal mother, no matter how frantic her momentary grief may be at the time. They soon forget their offspring." James Isdell, Travelling Protector, Western Australia, 1909. Cited in Manne, Robert (2006). *The Stolen Generations: A Documentary Collection* [unpublished]. Retrieved 24 September 2007 from http://namei.org/misc/stolen_generations_evidence.pdf

⁹ United Nations Educational, Scientific and Cultural Organizations (UNESCO) (2004). 'Sorry Books' registered as historic documents. UNISIST Newsletter 32(2):4. Retrieved 23 November 2007 from http://unesdoc.unesco.org/images/0014/001401/140151e.pdf#xml=http://unesdoc.unesco.org/ulis/cgi-bin/ulis.pl?database=ged&set=474AD394_3_88&hits_rec=1&hits_lng=eng

¹⁰ Tenenbaum, Linda (2000). A quarter of a million march in support of Australia's Aborigines – But who are the beneficiaries of "reconciliation"? World socialist Web Site: News & Analysis: Australia & South Pacific. Retrieved 23 November 2007 from: http://www.wsws.org/articles/2000/jun2000/walk-j01_prn.shtml

¹¹ The organization was originally created in 1958 as the Federal Council for Aboriginal Advancement and then changed its name in 1964 to Federal Council for the Advancement of Aborigines and Torres Strait Islanders.

¹² Australian Bureau of Statistics (2007). Population Distribution, Aboriginal and Torres Strait Islander Australians, 2006. Retrieved 26 November 2007 from: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4705.0>

¹³ Sandall, Roger (1973). Aboriginal People and the Cattle Industry. Retrieved 23 November 2007 from: <http://www.aboriginalartonline.com/culture/pastoral.php>

¹⁴ The full report of the Royal Commission into Aboriginal Deaths in Custody can be found online at: <http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic/>

¹⁵ The full report can be read at www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen/

¹⁶ Dodson, Michael (1997). An Indigenous home for Indigenous children. Speech by Michael Dodson, Aboriginal and Torres Strait Island Social Justice Commissioner at the SNAICC National Conference, Townsville, June 1997. Retrieved 14 September 2007 from: http://www.hreoc.gov.au/about/media/speeches/social_justice/indigenous_home.html

¹⁷ Information about the Government response can be read at www.health.gov.au/internet/wcms/publishing.nsf/Content/health-oatsih-pubs-bth.htm

¹⁸ The transcript and conclusions of this court case can be read at www.austlii.edu.au/au/journals/AILR/2001/36.html

¹⁹ Cited in: Bond, John (1998:para. 11). Time to Say Sorry to 'Stolen Generations.' For A Change Magazine 11(1). Retrieved 25 September 2007 from: <http://www.forachange.co.uk/browse/1560.html>

²⁰ Cited in: O'Brien, Peter (2002:9). Journey of Healing: Are We Helping Them Home Yet? Retrieved 25 September 2007 from: http://www.aph.gov.au/senate/committee/indigenoussaffairs_ctte/submissions/sub72_attach_a.pdf

²¹ Cited in: Bond, John (1998:para. 11).

²² Cited in: Bond, John (1998:para. 13).

²³ Sorry Day Committee (no date:para. 4, 5, 7). A National Sorry Day. Retrieved 14 September 2007 from: <http://www.austlii.edu.au/au/special/rsjproject/sorry/>

²⁴ Cited in Bond (2005:5–6).

²⁵ Commissioner for Health, Aboriginal and Torres Strait Islander Commission, speaking at meeting of ATSIC Board with representatives of the National Sorry Day Committee, 1999. The ATSIC was later abolished in 2005.

²⁶ ATSIC (Aboriginal and Torres Strait Islander Commission).

²⁷ Minutes, NSDC national conference, 2003.

²⁸ Tony Reynolds, Executive Director (1993–1996), Royal Commission on Aboriginal Peoples (1991–1996) interview with John Bond, 2001.



Aboriginal girls in sewing class, 1960
Photographer: Sister Liliane
Library and Archives Canada, PA-195125

(This photo can also be found, along with many other resources, at www.wherearethekids.ca)

DEBRA A. HOCKING

Debra Hocking is from Tasmania, an island state of Australia lying approximately two hundred kilometres south of the mainland. She is a Stolen Generations survivor and descendant of the Mouhennear people. She is Indigenous co-chair of Australia's National Sorry Day Committee and Indigenous chair of Achieving Reconciliation Tasmania. Debra has worked for many years on Aboriginal community health issues. She is a recipient of the United Nations award for the International Year of the Culture of Peace and the Human Rights Award for Humanitarian Activities in Tasmania.

Debra's contribution to this collection, *Reconciliation: An Indigenous Australian Perspective*, is a moving personal narrative of struggle and reconciliation. Raised in an abusive foster home, the search to find her birth family led to the discovery that she is member of the Stolen Generations, the term used to describe the thousands of Indigenous children in Australia who were removed from their families and placed in mission schools and foster homes. We follow Debra as she battles government bureaucracy in a determined effort to reunite with her family, and we watch her initial bitterness and anger transform into compassion and political activism. Her work with groups such as Australia's Sorry Day Committee and Achieving Reconciliation Tasmania support her growing optimism that reconciliation can become a way of life for all people, Indigenous and non-Indigenous alike.

RECONCILIATION: AN INDIGENOUS AUSTRALIAN PERSPECTIVE

I am a Stolen Generations Survivor. I was born in Tasmania in 1959. My mother was a great granddaughter of Fanny Cochrane Smith, a notable Aboriginal woman of the late nineteenth century.

I hardly knew my mother, but I have learnt from my siblings that her Aboriginal heritage was extremely important to her, and she continued practicing her culture right up until her death in 1980. She raised her children in traditional Aboriginal ways learnt from her mother.

However, the welfare authorities viewed her child rearing as unacceptable, and she was accused of neglect. This was a commonplace accusation in Tasmania in the 1950s and 1960s. Aboriginal families were watched carefully. A critical report by a welfare officer, however flimsy, was enough to remove children to foster homes or institutions. Often, all the children were removed and siblings were usually split up. Although there was no racial stipulation in the legislation that enabled the authorities to remove Aboriginal children, we now know that it was the Tasmanian form of the nation-wide drive to assimilate Aboriginal children into the mainstream Australian culture.

Not long after I was born, my father deserted my mother and family. My mother found it increasingly hard to provide enough food for her growing family. In desperation, she approached the welfare department and requested financial help. Sadly, that was a costly mistake. The authorities came to our house with an order to remove all four children: my oldest sister aged six, my next sister aged five, my brother aged three, and myself the youngest. I was still being breastfed. My mother refused to hand us over, so we were taken by force. I cannot imagine what that must have been like for her. I now have four beautiful children, and if anyone had attempted to remove them, I would not be responsible for my actions.

We children were split up and placed in foster care. I have no memory of this but my other siblings do. Only recently did one of my older sisters break silence and tell me what she had experienced in her foster home and her anguish at not knowing where her siblings were. It took a heavy toll on her. My other sister and my brother have never talked about their experience, but it has left them with hurt, trauma, and grief. Even today we have little relationship as brothers and sisters. One day I hope we will all find the freedom that will enable us to build that relationship.

I was placed in a series of foster homes. According to my government file, I was fretful, and foster caregivers found it hard to nurse an ever-crying baby. Finally, after more than twelve months, I was placed with a family who were considered a model for the community—law-abiding, church-going, and active in projects to help the needy.

The reserve system restricted movement. We were treated as children and then our children were taken away.

Richard Kistabish
AHF Vice-chair
Algonquin
Val-d'Or, Quebec

By then I had been removed for over twelve months. My mother was not told where we were, and this must have been devastating for her. She was told that when she could prove that she could provide for her children in a satisfactory manner, her children would be returned. She located my father and when he learnt of what had happened, he returned to my mother and they worked hard to satisfy the welfare authorities. Their home was inspected at random, and if the officers were not satisfied, they recommended that the children not be returned. The reports in my file state that on one inspection there was washing hanging in the lounge room and they found this unacceptable. That was enough for authorities to deny parents their children. In many cases the welfare officers were untrained and had little experience, so they made judgments that they could never make today. Even the language used in their reports was archaic.

As I grew a little older and became aware of my surroundings, I began to wonder at my situation. This family I was living with, who were they? I knew they were not mine because I was told to call the mother and father “Aunty” and “Uncle,” whereas their children called them “Mum” and “Dad.” So what was I doing there? Where were my Mum and Dad? Now and then I had to go to a strange office where a lady would ask all sorts of questions. Before this visit, I was told to say that I was happy and wanted to stay with this family. The truth was that I was not happy and I did not want to stay with them, I wanted my Mum and Dad and whatever family I had.

When I began to ask these questions, I was told that my Mum and Dad were “no good” and this new family would give me a better life. Both my foster parents and their children constantly said that I was from “the gutter” and they had saved me. They told me little about my family. If I mentioned them, they said that I would be sent to a children’s home where they bash kids. I then became really unhappy. I guess I was still fretting for my Mum. The other children resented me. Now, as I look back, I can understand their feelings.

At the age of four and a half I began kindergarten at the local school attended by my foster siblings, who by then were aged ten, eight, six, and five. Beginning school brought new problems. My name was different than the others in the family, and children being children had no problem in letting me know it. I

hated them for it, but there was nothing I could do. I very quickly inherited the nickname “gutterchild.” Again, there was nothing I could do.

On my fifth birthday, I think there was a party for me, but then began an era of abuse that took my innocence. My foster father began sexually abusing me¹, and I was so scared. What was this man doing? Is this what fathers do? Maybe I have to do this, but if so, why did it make me feel so frightened? This abuse happened regularly. I did not tell anyone, I was so ashamed. I knew it must have been wrong because of the sneaky way he set it up. I then looked forward to going to school. Although I had to endure the cruel taunts, at least no one touched me, and I was safe in that sense.

The visits to the welfare office continued. I had to select my answers carefully as my foster mother was always present and threatened me with punishment if I said the wrong thing. How I wanted to tell them what her husband was doing to me. But I feared for my life. The welfare officers were scary, and I knew they had the power to take children without saying why. At each time they promised me that I would return to my family soon when they were satisfied there would be no issues of neglect. I kept hoping month after month, year after year that I would go home to where I belonged, no matter what the situation. Every Christmas I had only one request, to see my family. Year after year this request was denied. So I grew to hate Christmas and made damn sure that those around me would not enjoy it either. Now, as an adult I live with feelings of guilt that I would do that to other people. Maybe one day I will explain the cause of my selfish actions, and they might find forgiveness in their hearts.

I was now about eight years old. My eldest foster brother started to show interest in me, and not in a healthy way. My foster father was still abusing me, and now I had the two of them to deal with. I felt a sense of worthlessness and disgust at what I was enduring. The many incidents of rape left me helpless and hopeless, knowing there was nothing I could do. At times I was threatened with my life if I even thought of telling anyone.

At this time my foster mother became erratic in her behaviour. She would get so angry, and if I was nearby, she would beat me for no reason, punching with closed fists as if she were out of control. No one could stop her. Sometimes I would have to stay home from school until the bruising had subsided. At times, as I learnt from my files, meetings with welfare officers were cancelled, and this aroused their suspicion. They kept a closer eye on this family. Although these suspicions are detailed in my file, they were never acted upon. This abuse was to continue until I reached the age of thirteen.

Being told nothing about my family, I knew nothing of my Aboriginal heritage. My identity was stripped away as if it was something to be ashamed of.

About this time, my real family moved into the neighborhood where I was living, and my mother enrolled my brothers and sisters at the school I was attending. This alarmed the welfare officers and my foster parents, who informed me that I was not to look or speak to them if I came across them. I did not even know their names or what they looked like. One day, I was walking to school and two kids yelled out to me to wait for them. Oh no, it could not be, could it? I started running away, fearful that I might be seen with them. How I wanted to look at them and talk to them, find out just what on earth had happened to our family. That evening at home I told my foster mother. A big mistake. She rang the authorities and told them my family was “moving in on me.” Next thing I know I am riding to school in a police car, not a good look. Trying to explain that to an already hurtful mob in the playground was impossible. I was laughed at and teased, but I held my head high. Eventually I was moved from this school in the hope that my family would not try to contact me again, but my Mum kept following.

I realized that my brothers and sisters must have been returned to her, so why was I still in that hellhole foster home? It seemed so unfair, and I began to rebel. I got into fights with other students, I wanted to hurt them. How dare they have normal families, how dare they! This did not last long and was not all that bad, but I found myself increasingly bitter about my foster family and what they had done. Why could I not go home? Only when I saw my welfare file as an adult did I read the letters sent from my parents begging for my return. How could they keep one child from a family as a ward of the state until aged fifteen when the other children had been returned? What gave authorities this right?

Being told nothing about my family, I knew nothing of my Aboriginal heritage. My identity was stripped away as if it was something to be ashamed of. This family knew all along of my heritage, but saw it as a disadvantage rather than something to be proud of. Since then, through reading my welfare file, I have realized that the reason I was not returned to my family was that my skin was the palest of all the children in my family, and the authorities thought that I would stand a better chance than my siblings of being assimilated into the wider community. They wanted to do all they could to ensure that I knew nothing of my Aboriginal heritage.

I was now fourteen years of age and dealing with many teenage problems. I decided to run away. I had no plans, but a girlfriend decided to join me. She wanted to get away from the violence in her home—her father was a chronic alcoholic. We set off one day, vowing never to return. We were unprepared and did not even take any food. We did not last long, but promised ourselves that one day we would go far away and escape.

This happened fairly quickly. We both got jobs after school and saved hard to buy a bus ticket each that entitled us to travel anywhere in Australia. We boarded the ferry for the mainland, where we took a bus to Sydney, then Queensland. We were both small enough in stature to sleep in the bus luggage racks, which was fortunate since we had no money for accommodation. We made it as far as Mount Isa in northern Queensland. We then travelled down through the Centre to Ayers Rock (now also known as Uluru). We climbed Uluru, then made our way to Alice Springs, down through South Australia, and back to Tasmania. We had to go home. We were out of money and too young to earn more through employment. This was a great journey, which recharged our self-esteem. I felt so free and happy. We did not have to ask permission to do anything, though being just fourteen, many of our adult fellow travellers worried about what we were doing. We grew up a lot during that trip and learnt a lot about ourselves.

Then a new problem arose. The authorities told me that once I was sixteen I could no longer be a ward of the state, and then I would belong to no one unless the foster family adopted me. As a late adoption, they left the choice up to me. But what was the alternative? Try to find my family and live with them? What if they did not want that? Then what would I do? We had grown up apart. What chance did we have of bonding? I felt I could not go back.

Meanwhile, my foster family was determined not to let me go. I was told that if I did not sign the adoption papers I would “live to regret it,” whatever that meant. I think they did not want to risk the family secrets becoming public. They scared me to the point where I could see no alternative. I signed the papers, but I now regret doing so. For years after I lived with shame, agonizing that I had rejected my family who had done nothing wrong to me.

However, when I was sixteen I moved out of my foster home and found a place of my own. The following years were spent establishing myself in employment. I drank alcohol from an early age. It helped me escape for a little while, but I quickly learnt that when I sobered up the problems were still there and had to be faced. I had many relationships, some bordering on promiscuity, but looking back, I am not ashamed of that part of my life. I found employment in a bank and was soon appointed to a senior position. I was young and outspoken, but I found I was able to hold my own with lions of the business world.

When I was twenty I decided it was time to find my Mum. I was scared that she would not want to see me after agreeing to adoption, but I knew I had to satisfy an incredible urge inside me. I did not even know my parents' names. After much thought, I decided to go back to the welfare authorities that removed me

and my siblings. I remembered the names of the officers who had looked after my case. How could I forget them? Now it was time for payback.

I went to the building that housed the welfare offices. It was just as I remembered. The smell was the same, the carpet, the paint on the walls. I went forward to the enquiries desk and said I was seeking information on my family. I gave details and dates of my history. The enquiries clerk consulted his superiors, then returned to say there was nothing they could do, what was contained in my file was “privileged government information” and I had no right to access it.

I was angry. How dare they bust up families and show no remorse, I thought, and no attempt to help reunite them. I was determined not to give in. Two can play at that game, I decided. I went back to that office every working day for weeks and sat in the foyer, eyeballing the enquiries clerk and anyone else behind that counter. They became increasingly uncomfortable and eventually could not even bring themselves to look at me.

After many weeks I was tired of doing this and was just about to give up when a man appeared and stood over me as if he was about to give me a lecture. He was a big man with scary big, thick, black glasses. He stood and looked at me with arms folded, tapping his foot, but when he spoke, his voice was so gentle. He asked me to follow him and we went into a big room that looked like a library. He asked me to sit down and placed a manila folder in front of me. It was an inch and a half thick and written across the front was “Debra Ann Cooper – Welfare File.” Could this be true? What was this man up to? He placed a pad of paper and a pencil beside me. In his kind voice he said, “You have half an hour,” and walked out.

I flipped through the pages like a madwoman. God only knows what I should look for. Eventually my brain began to operate, and I tracked down my parents’ names. There was a lot of welfare jargon, a language I found difficult to understand. I wrote down dates and names, which at the time meant nothing, but proved useful to me later. Thirty minutes went by so quickly and then the man was walking back through the door. He picked up my file and smiled at me. I asked him who he was, and he explained he was Mr. Bond, the Director of the Welfare Department. I asked him why he had done this for me. He just smiled and motioned me to the door. I thanked him and scurried away. That office did not see me again for another twenty-five years. What Mr. Bond had done was entirely illegal, and he would have been instantly dismissed had he been caught. Somehow I knew this at the time and decided not to say a word.

After sifting through the scanty information I had written, I began an extremely frustrating search. I looked through electoral rolls, telephone directories, and much else. Finally I tracked down the address where my mother was then living. To my astonishment, she was just five minutes away from me.

I then had to decide whether to take the next step. I knew I had to follow it through. One day in October 1980, I arrived at the address feeling shaky but excited. All sorts of thoughts went through my mind. What if they had forgotten about my existence? What if they had no desire to see me? I would soon find out. I wandered up the pathway to the front door, my heart beating so loud I felt everyone would hear it. I took a deep breath and knocked on the door, trembling. The door opened and there stood my Mum, no doubt about it. She was very short and thin and had a great head of strawberry blond hair. I stood there looking, I could not speak. She broke into a smile, and tears streamed down her face.

We embraced for what seemed like a really long time, and she held me so tight I could hardly breathe. She motioned me inside. My two sisters and brother were there too, also another brother and sister born after I had been removed. So many emotions ran through me. We all stood there looking at one another, no words were spoken for quite some time. My Mum looked sick. She was pale and very thin. Her movements were not that of a healthy woman. I did not know how old she was or anything else about her, but that did not matter. We sat down and started talking about the silliest things. Nothing seemed to make sense. I suppose we were in shock. But one thing was for sure, they were damned happy to see me.

Now that I had made contact, I thought, we would be able to get to know one another. I did not realize that my Mum was dying, and there was little time left. Two weeks later I was planning my next visit when one of my sisters phoned, asking me to come to the hospital. Our Mum might not have long to live, she said.

I was in agony. How could she die when I have only just met her? I rushed to the hospital and ran into my brothers and sisters making their way to the hospital chapel. But I wanted to see my Mum. When I reached the ward I saw her, hooked up to several machines. It was evident the end was near. I grabbed her hand and whispered, "It's me Mum, please don't go." That was the first and only time I would call anyone "Mum." That was very special to me. Within minutes she was gone, but she had such a peaceful expression on her face. A few minutes passed and the family stood in the doorway, realizing she had gone.

The racist comments
hurled at me as a child
now had meaning. I
began another journey.

We did not grieve much together, we just did not know how. But from them I learnt of my Aboriginal heritage. Although I was suffering the loss of a mother I did not know, I had found a large part of my identity. All of a sudden things made sense to me. The racist comments hurled at me as a child now had meaning. I began another journey.

During the next twenty years I reclaimed my identity, learnt about my culture, and learnt of the injustices my people had endured. It became apparent that the actions carried out by the authorities were deliberately aimed at splitting Aboriginal families in Tasmania and, as I learnt, it happened Australia-wide. The policies differed in each state and territory, but they all led to the same thing—a nation-wide attempt to assimilate Aboriginal people into the wider community and destroy our culture. It was a blatant attempt at genocide.

Like many others of the Stolen Generations, as the media now calls us, I was determined that no matter how hard they tried and how much I was beaten, I would not forget about my family or my identity. I realized that I was one of many thousands of children who were taken, many of whom never returned. How could any country do that to their children?

For some time bitterness and anger consumed me, but I learnt to rise above it. I have seen so often in Aboriginal communities that the transfer of anger from older to younger can be devastating. Past injustices, inflicted mostly by governments, have led us into destructive and addictive patterns of behaviour. Many stay that way for the rest of their lives. But do we have to keep living this way? What of our children? Can we make sure that our children do not suffer from the effects of these atrocities as we have done?

As I came to know our Elders, I saw how some of them are working to answer this situation. One Elder taught me much about compassion. This lady had all six of her children taken from her, and some she never saw for the rest of her life. Although she had endured the most terrible of racist experiences, she maintained that we needed to live in the present and look to the future. She treated everyone as equals, regardless of race, religion, or creed. She won the respect of many white Tasmanians and profoundly altered attitudes towards Aboriginal people.

I realized that there are good people in this world and in our own neighborhoods. If we are going to bring change, they need to be enlisted. So, when I was asked in 2000 to join a national committee, which brought together Aboriginal and non-Aboriginal people working for healing and justice for the Stolen Generations, I accepted gladly.

The National Sorry Day Committee had been launched in 1998. It aimed to offer the Australian community the chance to apologize for the tragedies caused by the removal policies at a time when the federal government refused to do so. National Sorry Day is commemorated on May 26th every year, and around the nation events are held to bring recognition and understanding of a part of Australia's history that many Australians still do not comprehend.

My job was to set up a committee in Tasmania and plan an event for the upcoming May 26th. This was achieved relatively quickly, and before we knew it, we had interest from all over the state. Enquiries came from schools, health centres, and government agencies, and many community groups were keen to be involved. We planned an event on our community land and invited people from all walks of life. We had speakers and performers from both the Aboriginal community and the wider community. Nothing like it had been done before, and it was very successful. It sent a clear message to our state premier that many people were aware of the cruelties of our history and wished to atone for them. It was an awakening moment for many Tasmanians who heard the stories of Stolen Generations Survivors for the first time.

After the first Sorry Day, the Journey of Healing was launched to offer all who had apologized the chance to take part in healing the wounds. We continued planning events year after year, speaking in schools at all academic levels. We realized that what we had started could enable Tasmanians to look truthfully at our shared history, and this was vital if we were to build a new relationship.

Two years ago our state premier died of lung cancer while in office. His dying wish to his successor was that he should do justice to the Stolen Generations of Tasmania by offering compensation. His successor has fulfilled this wish, and the legislation for a compensation scheme has now been approved by both Houses of our State Parliament. Tasmania is the first state to do so, and its action is thereby challenging other states and the federal government to do likewise for their Stolen Generations Survivors. I have no doubt that the work we have done, year in and year out, has helped our premiers and our Parliament to take this step.

Through my involvement in these matters, I have developed a keen interest in human rights, particularly social justice for Aboriginal and Torres Strait Islanders. As a child I was powerless, but as an adult I am not. To repair self-esteem and self-worth can be incredibly hard, but I decided I was not prepared to remain a victim all my life. I wanted to work for both healing and justice.

There is the question of liability but it is not money that will fix things. Truth and reconciliation will fix the problem to some extent by telling the truth and correcting the history of this country. How the process unfolds from there will be determined by all parties through engagement. The government has a role in correcting wrongs, but that does not mean simply throwing money at us.

Viola Robinson
AHF Board member
Mi'kmaq
Truro, Nova Scotia

This meant that I was ready for leadership. In 2006, I was elected Indigenous Chair of the National Sorry Day Committee. Sadly, over the previous year we had seen much divisiveness within the committee. This centred on the issue of an apology to the Stolen Generations from the federal government. Some felt that our main task was pressuring the government to offer this apology. Others felt that to keep asking for an apology from a cold-hearted government was demeaning, and we needed to get on with healing regardless of the government.

The growing division threatened to destroy the movement, and I was determined that would not happen. The only solution I could see was to go our separate ways. I spoke to many people around the country and was urged to create a new movement, not in opposition to the National Sorry Day Committee, but to work alongside it. Those who wished to focus on an apology were welcome to do so. Those who wished to focus on healing would form a new organization.

We met in Sydney in early 2007 and formed a new committee, which we called the 'Stolen Generations Alliance – Australians for Healing, Truth and Justice.' Many people have joined us in this, including former Prime Minister Malcolm Fraser and Lowitja O'Donoghue, one of Indigenous Australia's most powerful leaders, who are now our co-patrons. All states and territories are represented in this alliance, and there is much positive energy amongst those involved.

I believe this energy comes from our determination to offer everyone, Aboriginal and non-Aboriginal, a part in shaping a new society, free of the racism that has scarred our nation. We invite everyone to work with us: the Stolen Generations, the whole Aboriginal community, federal and state governments, and the wider Australian community.

There is much work to be done. Many educative structures are needed to enable Australians to understand the hurts and traumas that Aboriginal people in this country have endured so that the wounds may heal. There is also much forgiveness and understanding needed within the Aboriginal community, as so often the frustrations and injustices from the past are internalized, leading to division among Aboriginal people. This needs to be understood by the wider community. And we, Aboriginal people, need to take responsibility for our emotional and social well-being.

Reconciliation is far from dead in this country. Sometimes it seems we are struggling up a series of mountain ranges, reaching one only to find there is another right behind it. But our mountainous terrains can flatten out, and we

can walk on common ground as one people. There is a conscious effort by many of all races to seek healing in this country. Reconciliation can become a way of life in this country, rather than a political tool used by government for its own purposes. Until then will we create for our children a country of healing, truth, and justice.

NOTES

¹ My personal story has been recorded in a number of public forums including the following online newsletter: Caritas Australia (Catholic Agency for International Aid and Development) (2006). News from the field: 04 December 2006. Retrieved 9 October 2007 from: http://www.caritas.org.au/AM/Template.cfm?Section=Caritas_at_glance&Template=/CM/HTMLDisplay.cfm&ContentID=1738

SECTION 4
JOURNEY OF THE SPIRIT



Jim Abikoki and family in front of the fence surrounding the Anglican Mission on the Blackfoot Reserve, Alberta, ca. 1900
Glenbow Archives, NC-5-8

(Photo: Courtesy of the Legacy of Hope Foundation)

GARNET ANGECONEB

AS TOLD TO KATERI AKIWENZIE-DAMM

Garnet Angeconeb is an Anishinaabe originally from the Lac Seul First Nation and now living in Sioux Lookout, Ontario. After attending Pelican Indian Residential School, he completed high school in Sioux Lookout and, in 1982, graduated from the University of Western Ontario with a diploma in journalism.

Garnet worked for many years with Wawatay Native Communications Society in positions ranging from news editor to executive director. With the guidance of community members and Elders, he developed the Wawatay Radio Network with coverage to the Nishnawbe-Aski communities in northern Ontario. He also worked for CBC Radio in Thunder Bay and served as executive director of one of the northern Ontario tribal councils. In 1985, Garnet was the first Aboriginal person to be elected councillor in the town of Sioux Lookout. An active member of the Aboriginal Healing Foundation's board of directors since 1998, Garnet serves as its secretary. He is also a recipient of the Queen's Golden Jubilee Award.

In 1990, Garnet embarked upon a lifelong journey of healing, and he shares his journey with us in this collection. Garnet's story begins on Lac Seul where he lived as a young child surrounded by a loving family and concludes with his reflections on truth, understanding, healing, and reconciliation. In between, he describes how, as an adult, he struggled alone and in secret with the emotional burden ensuing from the sexual abuse he experienced in residential school. When he was ready to reveal his secret, even greater personal resources were required, but he courageously persisted in spite of the grief and anger his revelation aroused in himself and others. We follow Garnet as he confronted his abuser, first in person and later in the courts. We begin to understand how, when the time is right, forgiveness can reinforce healing and healing makes forgiveness possible. Garnet's candour, sincerity, kindness, and courage are all evident in this personal narrative of a journey from truth-telling to reconciliation.

Kateri Akiwenzie-Damm is an accomplished writer, multi-arts collaborator, publisher, Indigenous arts advocate, and communications consultant as well as an emerging video producer and director. She is an Anishinaabe of mixed ancestry from the Chippewas of Nawash First Nation in southwestern Ontario. Since 1994, she has lived and worked at Neyaashiinigmiing, Cape Croker Reserve on the Saugeen Peninsula in southwestern Ontario. Kateri worked with Garnet's written memoirs and spent hours in conversation with him to create a compelling narrative of his life.

SPEAKING MY TRUTH: THE JOURNEY TO RECONCILIATION

When I walked into the Aboriginal Healing Foundation office in Ottawa in December 2007 to interview Garnet Angeconeb, I was unsure what to expect. I knew that Garnet was a residential school Survivor, a member of the Aboriginal Healing Foundation's board of directors, and a journalist. What I didn't know was what a warm, compassionate, and fascinating person he is. For the next two days Garnet and I talked about his life, and I felt privileged to sit with him and hear about the challenging experiences he'd survived and overcome. As I listened, I was struck by how open, honest, and generous he was in sharing his story. It was inspiring. Deeply rooted in his Anishinaabe culture and community, Garnet is an unassuming, soft-spoken, spiritual man who is passionate in his quiet and humble way. He has a vision for the future of residential school Survivors and their families and communities that he is determined to help make a reality. Garnet stressed again and again that his story is just one of many—that every residential school Survivor has a story to tell. In telling his story he made it clear that he hopes it helps others to find their voices and tell their own stories. It was an honour to work with him to bring his story to you.

Kateri Akiwenzie-Damm

AT HOME ON LAKE SEUL: THE EARLY YEARS

As a young child, I lived with my mother Mary, my father David, and my brothers and sister on the trapline in the Lac Seul area of northern Ontario. It was a happy time in my life. Then in 1959, when I was four years old, my older brother Harry was taken to the Pelican Indian Residential School located about twenty miles from our home. He was six years old. This was the first of many changes to occur over the next few years.

The winter of 1961 began early, and by late fall ice was already forming on the countless bays of Lac Seul. On the trapline, every minute of daylight is important. Mother and Father would rise in the wee dark hours of morning to begin their daily chores. In the evenings, I would fall asleep listening to Mother and Father talk about their day or Mother recount a story or legend. One particular night, a long turn of events began that lasted all winter. I awoke in the middle of the night and found that Mother and Father were up. My baby sister Florence and my little brother Ronald were both in deep sleep, but I sensed there was something wrong by the sound of my parents' voices.

“Your father is very ill,” Mother said to me. Sitting up, I could see Father sipping tea by the wood stove, visibly uncomfortable and shaking from his illness. When I awoke again, daylight had already broken. Mother and Father were busy doing their daily tasks, only this time they seemed to be doing more than usual. Mother was packing all our worldly possessions—blankets, dishes, food, clothing, and furs. We were going back to the village of Ningewance Bay to be near help should Father’s condition worsen. At least there we would be close to my grandparents, Rupert and Christina Ningewance, and their large extended families. Normally, we would have stayed on the trapline until Christmas, but not that year.

While Mother was busy packing, Father was working down by the shoreline in his *putt-putt*. “Putt-putt” was the nickname for a type of wooden boat used by the Lac Seul Anishinaabek for their commercial fishing activities in the 1960s. To keep the younger children warm, Father put a canvas shelter over the *putt-putt*, and inside he set up a little wood stove. The journey through the frozen waters of Bray Bay, where our cabin was located, to Lac Seul was slow because Father had to use an axe and an ice-chisel to break the ice in front of the boat.

At Ningewance Bay, it became clear how seriously ill my father was; he went to bed and there he stayed until the warm winds of spring arrived. Extended family members and others would help us a great deal that winter. We were so grateful whenever someone arrived with a fresh catch of fish or moose meat to feed our hungry stomachs. There were many nights we went to bed hungry and tired. Help from others was always very much appreciated.

Throughout that winter, I watched my father fade into a deep unknown illness. I was often scared. I had involuntarily become the man of the house and had to assume a lot of responsibility. I got firewood, hauled water from the waterhole down at the lake, and went for help at times when my father’s condition worsened. Many nights Mother would rouse me from bed to seek help from neighbours and relatives. I would walk through the bush in the middle of a winter’s night to tell people that Father was very sick and that he might die very soon. Walking along the bush trails of Keesic Bay Island with my coal oil lantern was an eerie experience. I was so scared that I never turned my head in case someone was lurking behind me. Now I realize it was probably the spirits looking after me, and certainly the Great Spirit was always watching over me. The walk home was such a relief because someone always came back with me to sit beside my ailing father.

It was a long and difficult winter for me and my family. Finally, the snow and ice began to melt. The days were getting longer. In the air there was the welcomed

call of the crow—*an-deg*. The return of the *an-deg* was a sure sign of spring. Father sought help from two highly regarded Elders from the community: *Ochi-kiyashk* (Baby Seagull), otherwise known as Tom Pemmican, and *Baswewe* (Echo), otherwise known as Jean Southwind. I recall Father attending healing ceremonies with the Elders. He would faithfully take the medicines they gave to him and soon he began to feel better. Through this experience, I learned the importance of respecting Elders to the highest degree. And not only that, but to have respect for everyone. This is a lesson I still struggle with each day.

In the Anishinaabe tradition, one brings gifts and an offering of sacred tobacco to the Elders when seeking their advice. Mother and Father would gather whatever they had to take as gifts to the Elders—hunting rifles, ammunition, traps, knives, tools, or clothing. Father taught us to give things of value to others: the teaching of sharing. I also learned the importance and significance of offering tobacco. These were teachings that would help me throughout my life.

SEPARATION: THE RESIDENTIAL SCHOOL YEARS

Shortly after my dad was well again, I was forced to go to the Pelican Indian Residential School where Harry was already a student. I attended the residential school and lived in the school dormitories until 1969. My older brother was there until 1968. My sister Florence was forced to go in 1968, and eventually my younger brothers Ronald and Gordon followed. Although I saw my brothers, I had no contact with my little sister because boys and girls were kept separate.

My father had attended this same residential school as a little boy. He was the ninth student enrolled when the school opened in 1927. He attended for five years. When he spoke about it, he talked only about working on the farm. The “students” were actually unpaid farm labourers—there was very little classroom teaching or instruction of any kind except, perhaps, for whatever religious teaching the children received when forced to attend chapel.

When I attended the Pelican Indian Residential School in the mid-1960s there were about two hundred and fifty of us students ranging in age from six to twelve. For six years I attended school there and lived in the dormitories. The Senior Boys Dormitory Supervisor was Leonard Hands, a young man in his early twenties. Hands came to the school from Toronto through the Anglican Church. He was not a teacher or social worker and had no qualifications for the job of dormitory supervisor. Regardless, he was given responsibility for the senior dorm which housed about forty of us boys aged ten to twelve. Hands had

private quarters near the dormitory. In the morning and evening he supervised us. In the morning he made sure we got up on time, ate breakfast, did our morning chores, and attended chapel before going to the school. After school, he would make sure we did chores, had supper, attended evening chapel, and went to sleep when we were supposed to do so.

FORGETTING: THE LOST YEARS

When I left the school in 1969 at the age of twelve, I buried the memories and feelings of my time there and rarely spoke about them again until many years later. I began drinking to dull the pain and anger I felt. It was a coping method I used for a long time. I struggled with a sense of spiritual confusion and trying to figure out my place in the world.

One wickedly cold January night when I was twenty years old, I sat in a local bar wasting my paycheque on booze for me and my drinking buddies. A bunch of former residential school students sat at my table guzzling bottle after bottle of beer. One beer was not enough it seemed, yet one beer was too many for most of us.

An old school chum, Paul, screamed across the barroom, "Hey Garnet! Remember that asshole supervisor at Pelican? You know, that guy we used to call Beanie!"

"Yep! I remember that asshole! He didn't have the last name Hands for nothing. Why don't you forget about that useless piece of shit. If I ever see that bastard, I'll kill him!" I yelled back.

Once in awhile, usually while in a drunken stupor, former students would muster enough courage to talk about our negative experiences at residential school. As much as people wanted such conversations to carry on, these exchanges were always quick to end. The memories of Pelican were best forgotten and washed away by beer I thought—at least it felt like some of the pain was numbed by the alcohol.

"Paul, I've got to go," I yelled over the noisy jukebox that was blasting *Heaven's Just a Sin Away*. "I'm heading for Keesic Bay to visit my folks tonight."

I jumped on the snowmobile I had borrowed from my brother. Although I was in no shape to go, I set off at top speed into the cold winter night for Keesic Bay on the Lac Seul First Nation traditional territory where my parents lived. When I was about eight miles from home, I somehow got the snowmobile

bogged down in the heavy snow around the shoreline. Try as I might, I couldn't get it out. Being a young man of twenty years, I foolishly decided to walk the rest of the eight miles. It was pitch black and the coldest night of the winter. Before long, I realized that I had strayed from the snowmobile trail. I was lost.

I had no matches to start a fire. It seemed senseless to bed down in the bush, and so I pushed on, walking out into the vast open air in the middle of the frozen lake. I quickly lost all sense of direction. I could see nothing except darkness and the snow blowing all around me. I was in the middle of a fierce blizzard, the kind of storm my father had warned me about. Each step became a real challenge as I walked aimlessly in circles in the deep slush. My boots were getting heavier as ice began to form from my knees down.

I realized that I was in big trouble. I couldn't even put my fate into the hands of the Creator. As a young person who went through the residential school system, I was deeply confused about my spirituality. I refused to believe in Jesus Christ. And now, as I lay on the frozen lake of Lac Seul, buried in the snow, I questioned how I could rely on God's help with whom I didn't have a relationship. Somehow, though, I learned to pray again that night.

After lying down half-buried in snow for what seemed like infinity, I heard the familiar sound of a snowmobile off in the distance. I looked up. The blizzard had subsided. In the dark, I could see the faint outline of the landscape and the distant flicker of two snowmobile headlights. I yelled at the top of my lungs but I was too far away. Later I learned that my father and uncle had been out looking for me.

I buried myself in snow to stay as warm as I could. I would yell every once in a while into the stillness of the night. It seemed to help with blood circulation, and I would feel warmer for a little while. It was a long night, probably the longest night of my life. Then, as I looked into the night sky, I saw a woman approaching me. She looked like my mother but it was as if she was the spirit of Mother—a holy, spiritual being. In the Anishinaabe language, the woman assured me that I was going to be all right. As she was talking to me, I noticed she was carrying a large blanket made of rabbit skins. In the sweetest voice I had ever heard, she said, "Here, I have come to cover you with this blanket so you don't get cold out here. This blanket will keep you warm."

I dozed off. By this time, I felt so warm under the cover of a loving Mother's rabbit quilt. When I awoke sometime later, I could see the early hints of the morning sunrays. It was the first day of February, my only sister's birthday. The

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I now know there was a reason I survived, but it took me a number of years to understand what it was.

sunrise was beautiful. The skies were beginning to glow pink and orange. I couldn't believe that I had survived that long, cold night.

I looked around me. Tobacco was sprinkled all around where I had bedded down. I unburied myself from the snow and sawed away the huge chunks of ice around my legs and feet. I stood up but quickly fell back down. I thought, now that daylight had arrived someone would soon find me. I laid down quietly to wait for help.

Help soon arrived in the form of an OPP airplane. After circling a couple of times, the airplane landed and stopped near me. Right away I recognized the two police officers who disembarked. Constable Roydon Kropp was the first officer to jump out of the airplane. He was followed by Constable Myles Lang. I was unable to walk so the two officers dragged me to the airplane. The pilot, Sergeant Larry Moore, remained on board and helped to lift me into the warm aircraft. After landing, I was taken by ambulance to the Zone Hospital in Sioux Lookout where I was laid up for three months. I had suffered severe frostbite to both feet and legs. Not only had I miraculously survived an entire night in 40° below weather, I had also escaped the real threat of amputation.

When I think back on it now, I see the vision of the woman who covered me in the rabbit fur quilt as a symbol of hope. With her loving presence, against all odds, I survived. I now know there was a reason I survived, but it took me a number of years to understand what it was.

REMEMBERING: THE GRIEVING YEARS

Understanding first began to develop on October 31st, 1990 when I was set on a path that I continue on to this day. I was on a business trip in Ottawa. That morning, I got up, showered, dressed, and headed downstairs to meet a colleague for breakfast in the *Toulouse* restaurant. He was already sipping his third cup of coffee by the time I got to the breakfast table.

"Hey look at this front-page article on the residential school issue," he said as he sipped his coffee.

I had my own copy of the *Globe and Mail* tucked under my arm. There, on the front page, was an article about how the then-Grand Chief of the Assembly of Manitoba Chiefs, Phil Fontaine, had publicly disclosed that he had been physically and sexually abused while attending an "Indian" residential school. As I read the article, I began to feel an indescribable pain crawling all over my body. With great difficulty I struggled to maintain my composure. I looked

over to my colleague and, without thinking, asked him if he'd ever been abused while living in one of the notorious "Indian" residential schools.

His immediate response was "No." I guess I was hoping that he would say he had been. In some way I wanted him to say yes, so that we would have something in common to talk about: a legacy of abuse from the residential school system that had haunted me ever since I left the school in 1969.

I felt incredible pain build up inside me. Through this haze of pain, I struggled to admit to my colleague that I, too, like many former students, had experienced sexual and physical abuse while at residential school. I was also enraged by the psychological and spiritual scars inflicted on me and the other students from the colonialistic and genocidal approach inherent in the residential school system. My colleague and I grew almost completely silent. The silence continued as we ate our breakfast.

After a while my colleague quietly asked, "So you were abused in residential school?"

Not knowing what exactly to say, I responded, "Yes, I was abused—sexually." I told him that a man at the school named Hands, who eventually became an Anglican priest, had abused me and many others at Pelican during the 1960s. I felt a wave of rage overtake me. I had a huge lump in my throat as I struggled to hold back the pain that I had buried for so many years. Then, as if a floodgate had been thrown open, I cried uncontrollably. It was the first time I had ever told anyone that as a little boy I had been sexually abused at residential school.

For the next year I tried to figure out how to deal with that admission. I had to tell my family (I have been married since 1978 and had never spoken of the abuse to my wife). It took a lot of soul-searching—I had so many doubts. It was a very emotional time. I experienced a lot of anger and grief. My children were ten and eight years old, and I had to explain to them what was happening because my behaviour during that time was unsettling for them. I was drinking a lot and crying often. I had to come to terms with the idea of others knowing what had happened to me. I sought help from a mental health nurse who helped prepare me to meet with Leonard Hands, the man who had abused me. She made me feel validated and helped me to realize that although I'd had no control over the abuse, I did have control over the process of disclosure.

Some will need personal reconciliation to be able to move forward from the pain of the experience. There are several other layers: collective, spiritual, mental, physical, etc.

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

One of the things that I've learned, whether dealing with government or churches, is that we're afraid of each other. We're afraid to talk openly to each other.

DISCLOSING: THE TRUTH-TELLING YEARS

In late 1991, I was ready. I met with Bishop James Allen of the Anglican Keewatin Diocese to disclose my abuse. The bishop said he would come back and deal with it after Christmas. He left soon after and never did deal with it. It was very discouraging, but a new bishop, named Tom Collings, was appointed to the diocese in the new year. After discussions about an out-of-court process, Bishop Collings suggested that I meet with Leonard Hands to discuss it. I agreed. The day before my meeting with Hands, I went to the site where the abuse had taken place at Pelican Falls. Once there, I prayed for courage and strength to get me through this ugly ordeal. As I left the grounds, I spotted a bald eagle soaring way up in the clear blue sky. I took that as a sign of hope for restoration, for healing, for reconciliation, and for forgiveness.

It was April 1992 when I met face-to-face with Leonard Hands, the person who had abused me in residential school. There was strong denial from him, and the meeting ended with no resolution. Still, I realized later that confronting him was a significant milestone on my long journey toward healing.

As I pursued the matter, the first hurdle I had to overcome was denial from those around me. My parents didn't directly tell me, but did tell my siblings that perhaps I should drop what I was doing and move on with my life. Many leaders also did not support me. An Elder told me that it was because so many of them were in denial themselves. Perhaps it was too painful.

During this time I often wondered, "Is anyone out there really listening?" It saddened, frustrated, and angered me. Then I started to link up with others who were also dealing with residential school abuse. In northwestern Ontario, there was a heavy layer of silence surrounding the issue. Some people even questioned my motives for pursuing my case, suggesting that I was doing it for political gain. But as I learned about others who were taking action and began to connect with them, I began to feel supported. It gave me the strength to continue.

Still, it was very difficult. The denial and silence extended to the churches as well as the government. It took more than three years for Michael Peers, then-Primate of the Anglican Church, to respond to a letter from me, and when he did it was in a very legalistic way. Obviously, the letter was written by lawyers since the Church must have feared law suits. One of the things that I've learned, whether dealing with government or churches, is that we're afraid of each other. We're afraid to talk openly to each other.

Despite this, I continued to pursue my case. My mother never saw the end of what I started. Sadly, she died in April 1993. Later that year, in September, the OPP began investigating my allegations of sexual abuse. At first I was all alone in the allegations. By the time it was over, there were nineteen of us who had given statements about having been sexually abused by Leonard Hands. The police believed there were a lot more, and I knew myself that there were others who weren't willing to come forward. Around the same time, in 1993, there were allegations that Hands was abusing an altar boy at his parish in Kingston, Ontario. Hands was suspended by the Church, although no charges were laid. It was sickening to me to realize that he was still abusing boys, and I wondered how many others there had been in the years between.

When the police investigation of my case started, my father said that maybe I should drop it and move on with my life. It wasn't until after my father realized that two of his other sons (this meant three of his six children) were also abused by the same man that he started to change his views and became more supportive. Father also began to recognize and understand the patterns of behaviour of his sons—the anger, drinking, short tempers, and so on—that we'd been using to cope with our abuse as well as with the shame and secrecy that had surrounded it.

The sign that my father was really supportive was when he went to court on the day that Leonard Hands was being sentenced. Hands was convicted on nineteen counts of indecent assault, and my father was there in the courtroom. He realized that day that there were sixteen other men who had been abused in addition to my brothers and me. When my father showed up that day, it was one of the greatest gifts I ever received. It was a victory in the sense that I started feeling that my father was listening and that the denial had been overcome.

I'll never forget that day. It was January 5th, 1996 in Kenora District Court. I saw Leonard Hands, at last, sitting in the prisoner's box. He had pleaded guilty in court, but previous to that had vehemently denied the abuse. At the last minute he accepted a plea bargain. At the sentencing, Hands apologized to the victims of his abuse, but he specifically stated that he was not apologizing to me. He wasn't allowed to use my name but said that he was specifically excluding "G.A." from his apology. He claimed that he had already done so during our meeting in 1992 and that I had refused his apology. It angered me, but I realized he was a man going down and that it was his only way of lashing out and trying to regain some control. He received a four-year sentence. Leonard Hands was only fifty-four years old.

I rode back from Kenora with my friend, another Survivor, and we talked for the two and a half hours of the drive, so preoccupied that we ran out of gas. My friend started talking about forgiveness and I listened but at the same time I was saying, “No. I’m not ready to talk about that yet.” It was not until years later that I had the urge to seek forgiveness, to forgive.¹

RECONCILING: THE JOURNEY CONTINUES

I never received an apology from Leonard Hands. Nor did I get the opportunity to forgive him while he was still alive. I wanted to, but in the process I learned that he had died in 2000 while living at a halfway house in Winnipeg. Today, I can truly say, “Beanie (that was his nickname), I forgive you. I forgive you.” I wish I could have said it to him when he was still here on this earth. Being able to forgive him has been a huge step forward in my personal healing and spiritual growth. But I know how difficult it is. It takes time and a great deal of support and love to reach that point. I hope that the Commission can help former students, wherever we may be on our journeys, to come to terms with what happened to us at residential school and to find some peace within ourselves as we move forward in our lives.

For me, the 1998 *Statement of Reconciliation*, issued by the Honourable Jane Stewart, was another milestone in my healing process and the start of a very much needed dialogue. Some of the frustration and silence I had been experiencing lessened because I realized that people were starting to listen. I also think that because the residential school experience disrupted my relationship with my Mother, I was more receptive, and the message had more of an impact on me because it had been made by a woman.

My understanding of what *reconciliation* means has evolved since that time. To me, it’s all about relationships and communication. Often, we’re too afraid of each other to speak our truth openly. For me to heal, I had to find a way to do so. When I think about reconciliation now, what it means, and how it can be put into action by the Commission, I think about my friend Brian Brisket. We grew up together, went to residential school together, and were lifelong friends. In the summer of 1995, Brian and I had gone through the preliminary trial where the judge had to determine if there was enough evidence against Hands to go to court. Afterwards, Brian and I drove together on the five-hour trip from the court to Winnipeg. We talked about many things during that trip, and Brian offered me some advice: “Whatever you do,” he said, “don’t ever leave your family. Don’t ever leave your wife and children as a result of all of this—it’s not worth it.”

For some, apology is a necessary precursor to healing and for movement toward forgiveness.

When the Elders speak of forgiveness, they talk of forgiving themselves first—accepting that what happened to them was not their fault. Once they reach that state, they can forgive others.

Dan George
AHF Board member
Wet’suwet’en
Prince George, British Columbia

As the case progressed, life at home became more and more difficult for me and my family. The case was taking a toll on all of us. There was a lot of tension, and eventually I reached a breaking point. In October 1995, I packed my truck and drove to the outskirts of town. I was leaving my family. I got to the Trans-Canada Highway and had to decide whether to go east or west. It was storming terribly. I made a choice, turned, and set off. I was fifty-six kilometres outside of Sioux Lookout when I encountered a horrible car accident. There were three fatalities, one was my friend Brian.

It was like a wave came over me. I felt numb, the message was so strong. Brian had told me never to leave my family and that's exactly what I was in the process of doing. After about four hours at the accident scene helping the survivors of the accident, I turned around and went home. I'm so grateful to Brian because without him, I might not have a family. I don't know what would have become of me.

Sadly, Brian didn't live to see the end of the case, to see our abuser convicted and sentenced. He never heard the 1998 *Statement of Reconciliation*. He didn't get to see the formation of the Aboriginal Healing Foundation or the Truth and Reconciliation Commission. I feel strongly that we need to remember and honour people like Brian and the many others who have passed on without seeing the steps we have taken toward achieving justice and recognition for all of the children and families who were forced to endure the residential school system. To me, that is a necessary part of reconciliation and one that the Commission can fulfill.

I believe that this Commission will provide us with an opportunity to acknowledge and validate what has happened to us as Aboriginal peoples because of the imposition of one policy enacted by the colonizing state—the policy of assimilation. The residential school policy was just one aspect of the broader assimilation policy. The overall impact of colonization and assimilation is the disempowerment of people. That is why, today, we are still plagued by issues of poverty, racism, missing women, and other horrifying impacts of that broader policy. The Commission, in some ways, can begin to turn that around so that people are empowered.

One of the things that I would like to see is a genuine apology. I would like to see the prime minister stand up along with the churches and say in no uncertain terms, "I'm sorry." If there was a collective effort to do this, can you imagine what profound rippling effects that would have? I think that a collective effort to come together to say "I'm sorry" would be very powerful.

I feel strongly that we need to remember and honour people like Brian and the many others who have passed on without seeing the steps we have taken toward achieving justice and recognition for all of the children and families who were forced to endure the residential school system. To me, that is a necessary part of reconciliation and one that the Commission can fulfill.

Although the 1998 *Statement of Reconciliation* had an impact on me at the time, the statement was specific to physical and sexual abuse. It was not inclusive and did not look at the broader implications of the policy and how it fit into the government's assimilationist agenda. At the time, everyone was being very careful about what they said because of the fear of lawsuits and what any sort of admission might ultimately cost. But now is the time for us to be honest with each other. We've got to get over that fear of being sued. That is another area where I see hope for the Truth and Reconciliation Commission to instigate change. I see the Commission helping to facilitate a process of social change. A priority should be the eradication of the intergenerational impacts of residential school. My children lived with the intergenerational effects, and it is my hope that my grandchildren will not have to do so. The Commission can lay the groundwork and begin facilitating that change.

When I was young, I was afraid to speak out because it was too painful. It took a long time to have the courage to find people who would listen. I just didn't feel strong enough, I didn't have the courage to speak about something so painful that I had buried for so long. I was afraid to let those ghosts out of my system. I was afraid of not being heard so I shut it in. It would be easier today. It's in the open now so there are support systems, and more and more people are becoming aware of it and providing help. I also find a lot of courage in our Elders talking about it in ceremonies. What I've noticed is that whenever I go to ceremonies most of the Elders talk about it. They are honouring Survivors and are creating honour songs for Survivors. The role of Elders has become quite powerful. They are helping in revitalizing and restoring what was put aside and seeking that rightful place where we were before.

If the Commission can create a space that allows people to feel that their stories are accepted without fear of repercussion, perhaps it can help to neutralize some of the negativity that has poisoned our relationships with each other. When a lake is poisoned by acid rain, lime is poured in to neutralize it. Hopefully, in some ways, our relationship with Canada can be improved. It's all been so negative. I see this process as helping to lead that relationship toward the way it was meant to be. For us, the treaties were about co-existence. We need to mend those historical misunderstandings and accept the true history of this country before we can move on.

When you're ashamed of your own history, you deny—that's also what has happened on the part of the government and churches. What it all boils down to is respect. Denial is damaging and disrespectful, not healing. Our new relationships have to be built on respect.

I look at my own life and I have to ask myself, “Why did I have to go through some of those experiences?” As my own doctor said, it’s amazing I’m still here. Most people would have succumbed. I look at that from a spiritual perspective and say perhaps the Creator is working through me to give a message of hope to our people about overcoming the impacts of colonization and the residential school system.

Because of those impacts, many of us went through a cultural identity crisis—loss of language, loss of family and community ties, loss of self-worth—to name only a few of the negative but real impacts of residential school. I myself lived through times of spiritual confusion. I lived through times of anger. I lived through times of cultural confusion. I lived through the disruption of my family relationships. At one time in my life, I was ashamed of my culture. To me, though, the residential school issue is not about making others feel bad or guilty. This issue is about truth and understanding. Truth and understanding are two key ingredients that will lead to healing and reconciliation.

When I look back on my life now, I can see that as a boy of six I had to walk alone through the darkness and cold and to confront my fears in order to find help for myself and my family. Then when I was twenty years old, I again had to face the darkness and cold during that long night alone on the ice. But when I felt covered by the warmth of a Mother’s love, I knew I could overcome my ordeal. The process of residential school healing and reconciliation, for me, has been like that. It’s amazing how strong we can be when we act out of love and respect and know we are a part of something much larger than ourselves.

May we all find the strength, warmth, and support to be able to speak our truths.

NOTES

¹ Garnet Angeconeb, 28 March 2004, Meeting on the Future of the Residential School Healing Movement, Ottawa as reported in Castellano, M. Brant (2006:157). Final Report of the Aboriginal Healing Foundation. Volume I: A Healing Journey: Reclaiming Wellness. Ottawa, ON: Aboriginal Healing Foundation.

*Treasure every moment you
have with your children; protect
them for they are the true
Survivors.*

*Jessica Lafond, 23
Wet’suwet’en
Gilseyhu (Big Frog) clan
Prince George, British Columbia*



Father Trinell with Inuit children in front of the Roman Catholic Mission, Cape Dorset, N.W.T., October 1951

Photographer: Douglas Wilkinson, National Film Board of Canada

Library and Archives Canada, PA-146509

(This photo can also be found, along with many other resources, at www.wherethechildren.ca)

DAVID JOANASIE

David Joanasie responded to our invitation to youth to write a short statement on the issue of reconciliation. David's father is Inuk and his mother is non-Inuk. David wrote:

The reason I identify myself as being of Inuit descent is that although I am mixed blood, my entire childhood was spent growing up in Kinngait (Cape Dorset), which is an Inuit community and, therefore, I learned to speak and live like Inuit from my community. I was born in Iqaluit, Nunavut (then Frobisher Bay, NWT) in 1983, and I currently reside in Ottawa and work for Canada's national Inuit organization, Inuit Tapiriit Kanatami (ITK).

David moved to the south to attend the Nunavut Sivuniksavut Training Program. Nunavut Sivuniksavut (NS) is a unique eight-month college program based in Ottawa. It is for Inuit youth from Nunavut who want to prepare for the educational, training, and career opportunities that are being created by the Nunavut Land Claims Agreement (NLCA) and the new Government of Nunavut. After completing NS, he accepted a job as ITK's Youth Intervenor.

David's contribution addresses the importance of cultural connections and proposes practical measures to promote healing and reconciliation in rising generations.

PERSPECTIVE ON RECONCILIATION FROM AN INUK YOUTH

I feel I am more fortunate than others who are not as connected with their Aboriginal culture. I speak, read, and write fluently in Inuktitut and have learned and experienced Inuit culture enough to be able to practice a lot of the values and customs associated with it.

I see the connection to my (Inuit) culture as the most important aspect that has made me who I am today. In addition to that, I find it truly imperative to continue the advancement and perseverance of my mother tongue among my peers and, more importantly, among future generations.

I find it somewhat difficult to identify the role culture has within the reconciliation process. But to put it into context, and assuming that both Aboriginal (Inuit) and non-Aboriginal (*Qallunaat* or non-Inuit) cultures are included in the reconciliation process, I would say that Inuit culture is naturally susceptible to the larger Canadian culture due to its low number of carriers—by carriers I mean that there are approximately forty-five thousand Inuit in Canada within a population of over thirty-two million. This means that Inuit are a minority within a minority. *Qallunaat* culture, on the other hand, is much more assertive and plentiful when comparing it with Aboriginal cultures. It is part of the mainstream society. Also, Inuit historically are a shy people and, hence, they may be more vulnerable to large, dominant cultures.

I could see how some of these traits from either culture might hamper a sound reconciliation process. At the same time, I feel that both cultures are becoming increasingly aware of one another and are recognizing ways to work together for better understanding. The relationship between the two cultures needs to be further identified to get past historical experiences and on to a justified reconciliation process.

The role of culture within the reconciliation process, I think, is that both Aboriginal and non-Aboriginal cultures alike must respect one another in light of their historical experiences—they have to *see eye to eye* on healing, so to speak. By this, I mean that there needs to be maximized understanding and trust built between the cultures involved. It is somewhat difficult to pinpoint how this could or would be done, but it might possibly involve a whole different governing system altogether or a humungous shift in attitudes.

In reality, one of the biggest reconciliation processes that has been undertaken to date is the residential school Survivor payouts. However, money cannot buy

In talking about reconciliation and healing we cannot forget that it is the strong ones that need to initiate; it is because of the spiritual strength of our people that we have to initiate. The compassion of our grandparents shows us the way.

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

back the experiences and fix or heal the people who have endured residential schools, including addressing intergenerational impacts and the effects on their peers, family, and community. Money is a dominant cultural concept that Inuit and other Aboriginal people have bought into and have come to value so much that it has replaced the true meaning of healing and reconciliation. What might be an option to look at further is to take a percentage of the payout to the Survivors and put it into a trust that would benefit future family, community, and nation members through the creation of materials, resources, wellness centres, counselling services, and a range of projects and services to promote, revive, and preserve language and culture. This fund could also sponsor local healing programs and invest in educational scholarships for upcoming youth and future youth in their advancement toward a better life.

These are just some of my thoughts, and I do hope they have served useful in gaining a better understanding of things and a broader perspective on reconciliation.



"Thou Shalt Not Tell Lies." Cree students attending the Anglican-run Lac la Ronge Mission School
La Ronge, Saskatchewan, 1949

Photographer: Bud Glunz, National Film Board of Canada
Library and Archives Canada, PA-134110

(This photo can also be found, along with many other resources, at www.wherethechildren.ca)

WILLIAM JULIUS MUSSELL

Bill Mussell has been chairman of the Native Mental Health Association of Canada since 1993. In 2004, he was named one of the leaders in mental health by the Canadian Alliance of Mental Illness and Mental Health, and he was recently appointed chair of the First Nations, Inuit, and Métis Advisory Committee of the Mental Health Commission of Canada. He is the principal educator and manager of the Sal'i'shan Institute, a private, post-secondary institute founded in 1988 that specializes in First Nations' programming. He is a popular educator who trained under Paulo Freire, and his long history in post-secondary teaching and leadership development includes work with teachers, social workers, community health educators, counsellors, and mental health practitioners.

In his early years, Bill served on the executive of the North American Indian Brotherhood, and he was among the pioneers of band governance and Aboriginal justice matters. Since 1980, most of his professional work has focused on First Nations and Aboriginal issues and aspirations in the fields of education, social development, and mental health. In the 1990s, healing and development challenges of community practitioners became his priority. More recently his focus turned to the study of Aboriginal mental health practices along with strategies to facilitate healing of children and youth by building on their cultural heritage. He has authored literature addressing suicide, mental health, and well-being of Aboriginal children and youth and the healing of and challenges facing First Nations men.

Bill is a member of the Skwah First Nation and is of Sto:lo heritage. His grassroots involvement in Indigenous social, economic, and political issues during the formative years of his career added significantly to his understanding of colonization and its effects. In his article, Bill places his personal and family history in a social context that reminds us of the positive influence that strong connections to culture, family, and community can have on a child's development. Looking to the future, he provides an example of the transformative power of a decolonized model of education. His enduring faith in processes that build on the strengths inherent in Aboriginal people, cultures, and communities is evident throughout the article.

DECOLONIZING EDUCATION: A BUILDING BLOCK FOR RECONCILIATION

For the spirit of reconciliation to be meaningful for Canada's First Nations,¹ two prerequisites must be met: an understanding and acknowledgement of past injustices, and a commitment to a relationship of mutual respect and equity on the part of the majority of Canadians. In this paper, my intent is to contribute to a better understanding of historical legacies and their implications for reconciliation. If the effects of the past on the present are not addressed, we risk perpetuating the status quo which, for many First Nations in this country, is untenable.

I begin by revealing major features of Canada's history that demonstrate treatment unfit for humankind, concealed by church and state for decades. This will be followed by my father's story about his experience in a residential school and what I learned about the influence of culture, family, and community history on health and wellness. I will then draw from what I discovered as a university credentialed social worker and educator of Sto:lo heritage doing capacity-building work in First Nations communities. Finally, I offer suggestions about what could serve as the foundation for conciliation and reconciliation so that true respect prevails in the relationship between First Nations and the rest of Canada.

WHAT IS MEANT BY "RECONCILIATION"?

Reconciliation speaks to "the end of a disagreement and the return to friendly relations."² The establishment or re-establishment of friendly relations requires both parties to recognize the discordance inherent in the relationship that is to be reconciled and to move from enmity to goodwill. This recognition must occur on every level—personal, community, and systemic. Even though the injustices happened and were institutionalized on a national level through the imposition of systems, philosophies, cultures, and religions of colonial governments, individuals along with governments must acknowledge truths about the past relationship between First Peoples and colonizers, recognize how the destructive effects of that relationship continue into the present, and work together with First Nations to forge a new relationship of peace and goodwill.

There are opposing views about what took place historically and these must be confronted and reconciled before relationships between individuals or nations can be harmonized. Reconciled relationships are those of equality, in which each party is considered of equal worth and makes every effort to understand the point of view of the other. With mutual understanding comes a changed

If reconciliation is to work, restoration of Indigenous languages, cultures, social structures, and traditional institutions for governance must occur.

attitude in health, social, economic, and political conditions. Without this understanding, there is little motivation for other necessary changes.

There are increasing numbers of First Nations communities that are now dealing with the impact of the past and its legacies in the present. The majority of Canadians lag much further behind in their understanding. It is imperative that all Canadians recognize, understand, and be willing to remove forces that continue to maintain the colonial practices perpetuating the second-class status of Indigenous people. A critical analysis of philosophies, systems, and institutions, and their policies and programs, is a precondition for the eradication of the roots of oppression. Such an analysis will reveal inequities between what is provided and how it is provided to mainstream Canadians compared with First Nations, Métis, and Inuit people.

If reconciliation is to work, restoration of Indigenous languages, cultures, social structures, and traditional institutions for governance must occur. Restoration is “the returning of something to a former condition, place or owner; the restoring of a previous practice, right or situation.”³ Only when all Canadians agree on the validity of Indigenous ways of knowing and doing as a basis for the rebuilding of First Nations’ self-reliance, self-governance, and wellness can such work be accomplished. Ideally, restoration will begin with the acknowledgement that, historically, colonizers to this continent had committed an injustice by failing to respect the Indigenous people as fully human and deserving of their respect. It will require recognition that the dysfunctions with which too many First Nations live are outcomes of historical forces, not signs of inherent flaws in individuals, families, or communities. Finally, it will involve strategies at all levels of society that support the healing of individual and societal wounds, the growing autonomy of First Nations, and reconciliation.

The current compensation being paid to Survivors of Indian residential schools may appear to most Canadians as enough to right past wrongs. I see it as a limited attempt to make amends that does not address the vital issue of the ongoing inequalities between First Nations and the rest of Canada. These inequalities have their roots in grievous injuries to Canada’s First Peoples, their cultures, and their communities by those colonizing forces.

HISTORICAL CONTEXT

Before contact with Europeans, First Nations people enjoyed relatively good health and knew cures for many illnesses. Traditional wisdom and knowledge of the land and how the land supported the community were essential foundations for Indigenous health and well-being.

In Western Canada, the colonization process began to affect the lives of Indigenous people about one hundred and fifty years ago.⁴ Colonizers brought with them infectious diseases that significantly decimated Indigenous populations. These massive losses of life were followed by the implementation of the reserve system, a policy that significantly reduced the land base. With access to traditional lands and resources seriously constricted, dependence on government increased. The pervasive loss of land had the most devastating consequences in terms of disrupting traditional roles and lifestyles in families and communities. Loss of the land base meant loss of the foundation for traditional social, economic, and cultural institutions and the ways of life that made these possible. The result was a decline in self-sufficiency, an altered, less active lifestyle, poor nutritional habits, and the advent of modern diseases such as diabetes, obesity, and cardiovascular problems. By the mid-twentieth century, colonization had caused devastation in all aspects of First Nations life—social, intellectual, spiritual, and physical. Other colonization strategies included the removal of children to residential schools that operated as institutions much like prisons, a practice that continued for four and sometimes five consecutive generations of families.

Beginning in 1861 and as recently as the 1980s, Indigenous children were trained in these schools, often long distances from their home communities, where they were forbidden to speak their own languages or to practice their cultural ways. The residential school experiences profoundly altered family units at the time and continue to have serious intergenerational effects, touching every aspect of community life today. These effects (violence and abuse, physical illnesses, addictions, depression, and suicide) are only beginning to be understood as symptoms of severe stress that compound the burden of earlier unresolved losses connected with the loss of the land. Losing the land meant losing the traditional knowledge and cultural practices based on a lifestyle inextricably tied to the land.

Residential school abuse has been a topic of discussion in some First Nations for about three decades, in others for much longer. Few First Nations people took the risk of talking about the abuse they suffered at the hands of residential school staff, and only with carefully selected people. Most chose not to risk the stigma connected with acknowledging the abuse, especially sexual abuse.

As the number of residential schools was being reduced beginning in the 1960s, most children were staying with family year-round, and more and more of them were being apprehended by the child welfare authorities. While Aboriginal children were “out of sight” in the residential schools, their safety and wellness were not mainstream priorities. As soon as children began living

in their home communities year-round, non-Aboriginal social workers justified removing them to foster care by imposing their middle-class standards of care and finding Aboriginal families deficient. Workers had little knowledge of traditional child-rearing practices nor were they familiar with one of the most pervasive legacies of the residential school system—the fact that the children raised in institutions, in spite of the gifts and potential they were born with, were deprived of opportunities to learn how to nurture and care for others. Workers did not take into consideration that there were no parenting models for many parents who were raised in residential schools.

The assumption of responsibility for the care and support of school-age children and youth represented a major change in lifestyle for families and communities. Most families in my home village lived for three or so generations without having direct responsibility for school-age children and youth. This fact surfaced during discussion in the mid-1970s at a chief and council meeting about vandalism of houses in the village. The chief and council could not remember ever having such damage done in the past. They concluded that this was the case because, until recently, most young people were at residential school, not living year-round at home. It turned out that three male youths were responsible and that their parents were baffled by their unacceptable behaviour and said they did not know how to discipline them.⁵

MY FATHER'S STORY

In some First Nations there were families who managed to keep their children at home, especially in the larger villages where a day school was available. I share my father's story because he was brought to residential school with his sister and brother against their parents' wishes. While he spent only a short time at residential school, as a nine-year-old in his first year at the school, he was sexually abused by a nun.⁶ This experience appears to have shaped his belief that women were motivated by sex and therefore prone to be disloyal. In later years this led to physical abuse of his wife, my mother.

My father was the first-born son raised by strong women in a relatively healthy extended family that valued learning, making a living, and community togetherness. There were many other families in the first few decades of the twentieth century that had the wherewithal to do as my paternal ancestors did: they transmitted to their children what they knew, valued, and believed while attending to their safety and wellness. Such families were very capable of raising healthy and productive children.

Above all, the parents and grandparents need to step up to their responsibilities as protectors of the children. They need to address the anger they are carrying from attending residential school, growing up in foster homes, or being adopted out of the community. They need to spend their remaining time on Mother Earth with the children, teaching them about how beautiful life can be and what great gifts these children have. They might just heal themselves and our communities in the process.

Melanie Ferris, 28
Anishinaabe
Mother, entrepreneur,
intergenerational Survivor
Toronto, Ontario

I first learned of sexual abuse in the residential school from my parents. In 1921, the Northwest Mounted Police took my father, as well as his older sister and younger brother, from their family home on the reserve to the residential school. Dad could speak Halq'emeylem and English and knew how to read and write, thanks to his mother's knowledge, skills, and foresight.

Within the same year, he was approached by the priest, who wanted to know what he wished to become. He said he wanted to become a priest because so many people in his village were dying in spite of the medicine they received from the doctor. He talked about the piles of medicine bottles under the houses and how these did not seem to prevent death. The priest, Dad recalled, asked him if his parents had money. He said they did not but his grandmother was rich. "If she gives me ten thousand dollars, I will make you a priest," he promised. Dad said he understood from his study of the Bible that money does not make a priest, and he declined the proposition. The priest asked him to leave the school. He returned home with his brother and sister, and within a short time they were escorted by the police to another residential school.

The second school was located much closer to home and had a farming operation equipped with student manpower. Dad described how he was placed in a residence with the nine-year-olds and situated in a job with the big boys who did the harder work at the school. While he enjoyed the hard work, Dad complained about how poorly the nine-years-olds were fed and insisted he needed much better food if he was to continue to work with the older boys. This led to his being expelled from the school and, once again, he found his way home within only a few months of admission. While his formal 'education' ended at this stage, he continued to learn skills that prepared him for a productive working life, thanks to the values and modelling of his caregivers who worked hard, provided well, and actively contributed to community life.

As the eldest son, my father was expected to become the breadwinner should his father be unable to continue in this role. My father took pride in serving in this way, and he continued to do so even after marrying and having six children. My parents built their own home in the late 1930s, using recycled materials wherever possible, and they developed a dairy herd as part of a mixed farming operation. They introduced their children to the world of work by inviting us to help them out. As knowledge was acquired and skills developed, new challenges were presented. Time and time again we learned that success begets success. We were involved in a wide range of activities, including hunting, canoeing, and fishing. We participated in community celebrations and ceremonies. We learned about the land and how the land supported the

Our parents refused to permit us to attend residential school, even day school on the reserve.

family and the community. Consequently, when school attendance was added to our lives, we already possessed many valued competencies.

Our parents refused to permit us to attend residential school, even day school on the reserve. Public school was their first choice despite the fact that we were not eligible to attend because we were Indians who lived on a reserve claimed by the Catholic Church and were not taxpayers to the local municipality. The priest serving our community worked hard to get us into a Catholic school, and he was critical of my parents' plan to send us to public school; in fact, he lobbied for support from community members to force my parents to change their plans. Thanks to the advocacy and negotiations Mother undertook with the local school board, we were able to attend a public school, although Mom and Dad paid monthly tuition fees for each child for five years before the Department of Indian Affairs agreed to pay. We learned that we were very special because of all the attention, and Mother helped us to make sense of racism, inequity, and aspects of history that were disempowering. She helped us to understand fairness and justice and asked that we inform her of anything that resembled racial prejudice. She wanted to spare us the negative effects of institutionalization that were so evident in the lives of those who had experienced residential schooling.

This glimpse into my family's story reveals the protective value of good cultural ways of parenting in the face of the damaging historical forces previously described. With help of her eldest sons, and intervention by an uncle, my Mother escaped physical violence after fourteen years of marriage. The six children became responsible citizens, married, and raised healthy children. Traditionally, extended families and communities survived and progressed by practicing values of co-reliance and sharing through ceremonies, celebrations, and working together for the well-being of the whole. Living one's culture fosters a secure personal and cultural identity that serves as a foundation for resiliently coping with life's challenges. It provides a sense of cultural continuity wherein the child's first teachers are members of the family, extended family, and community. In later life, this secure cultural grounding provides the confidence to learn about other cultures and accept and respect the diversity of other practices. These are key elements of responsible citizenry in a diverse country like Canada.

DEHUMANIZATION OF FIRST PEOPLES

My family's experience of the residential school system was shorter and less dramatic than that of many other First Nations families. From the initial shock of being picked up without warning on the reserve, sometimes by a cattle

truck, and delivered to the residential school, many children were subjected to such radical changes as to challenge their very identities. At residential school, they were forced to (a) assume a new image—have a haircut, take a shower, wear strange clothes; (b) speak a foreign language—with punishments for speaking the language learned ‘at home;’ (c) live in isolation from brothers, sisters, parents, and other family members; (d) eat strange food, and eat in quantities small enough to experience starvation; and, for many, (e) suffer physical abuse—in the form of punishment in and out of class for perceived misbehaviour—and, sometimes, sexual abuse. Training in this dehumanizing environment continued for up to nine and ten consecutive years, or longer, for many boys and girls. No wonder we have few people in our communities who have voice and vision, who question, wonder out loud, or express a point of view on matters of personal and social importance. No wonder many family members show evidence of attachment difficulties and distrust, and so many, especially males,⁷ have difficulty asking for help, reaching out, and exploring the world.

The profound losses experienced by First Nations, from generation to generation, have affected personal and cultural identity and quality of family and community life. These losses have created a chasm between Canadians in general and First Nation individuals who, for the most part, live as strangers in this large, bountiful country. Consider the following impacts of these losses on individual, family, and community life:

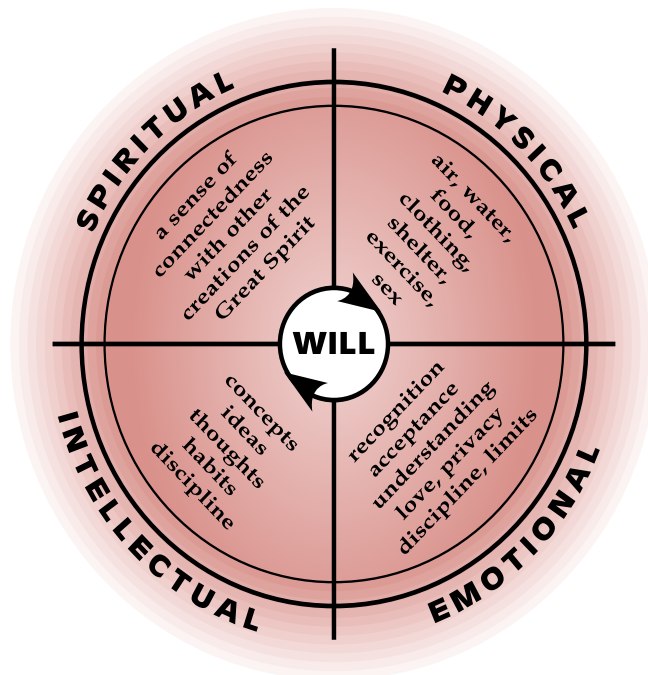
1. Loss of cultural territory, land, resources, and sacred places that were taken and trampled upon.
2. Loss of life⁸ due to foreign diseases to which the people had no resistance, resulting in disabled family systems because so many members died and their knowledge was lost with them. Self-sustaining units were wiped out. Survivors often starved. There are stories of caregivers arriving by canoe and begging the residential school officials to take their children so at least they would have a place to live and some food.⁹
3. Loss of co-reliance and self-sufficiency as extended family units, and entrenchment of dependency through institutionalization and its effects; for example, setting aside reserves, relying on Indian residential schools, setting up bureaucracies to manage “Indians and Lands reserved for Indians,” continuing isolation of Indigenous children in the public school systems, and fostering helplessness through misguided and inappropriate health, social, and education programs.

The thought of children being ripped away from their families and put into residential schools is horrifying. And if that wasn't enough, to be stripped of their culture and language and told that their traditions were evil—no one should have such horrible memories of their school years.

*Jessica Lafond, 23
Wet'suwet'en
Gilseyhu (Big Frog) clan
Prince George, British Columbia*

4. Loss of language and traditional learning strategies such as storytelling and being mentored by a caregiver during the course of everyday life.
5. Loss of tools and opportunities to become self-determining and co-reliant. Through unconditional inclusion and acceptance as full family members from birth to adolescence, children learn the vernacular and the cultural teachings of their family. Once learned, these become the springboard for learning other cultures and languages. The deprivation of such experiences creates serious negative consequences for holistic growth and development and sets people up for failure and insularity.
6. Loss of interpersonal connectedness between caregiver and child, caregiver and caregiver, and family and family due largely to the absence of rituals, ceremonies, and celebrations that contribute to the building of trusting relationships with self and others.

Imbalances in our lives as First Nations people are real and can be understood as the effects of colonizing forces. As listed above, those deprived of tools and knowledge have difficulty creating quality of life. Critical to this deprivation is the absence of nurturing relationships with other people. The Medicine Wheel¹⁰ below highlights physical, emotional, intellectual, and spiritual needs as essentials for holistic, balanced growth and development.



Life in the residential schools is described as seriously lacking in opportunities to grow emotionally and spiritually and because of this, success in learning and holistic growth was unattainable for most young people. Just as nutritious food is a necessity for physical growth, so does a nurturing relationship serve as the vehicle for development of spiritual, emotional, and intellectual capacities.

Dependency as a way of life becomes understood because of the depth and scope of deprivation suffered first in residential school and perpetuated thereafter by many of its “graduates.” In some communities, four and five consecutive generations attended residential school, and the habits learned there served as templates for succeeding generations.

Institutionalized learning at the residential school meshed well with the kind of institutionalization being introduced and learned by people living on the reserves administered by the Department of Indian Affairs. The treatment of First Nations as *wards of the government* throughout modern history persists into the present. Many programs and services remind us of the fact that we continue to be seen and treated as wards in spite of protestations to the contrary. Are poverty and inadequate living conditions not the logical outcomes of intergenerational institutionalization that perpetuates learned helplessness? As people who have not experienced empowerment by discovering who we are, what we are, and who we belong to through learning family and community history as an everyday experience, we live with considerable uncertainty because we lack what it takes to see, understand, and name our internal and external realities. As Indigenous people, we are relatively powerless to deal with threats perpetuated by the process of colonization, such as institutionalization and environmental contamination.

We learned distrust of government from family and community, which continues to influence our feelings, thoughts, and actions on government-Indian matters. The ignorance of would-be allies perpetuates this distrust. In my mind’s eye, I can see the three young non-Aboriginal lawyers presiding at a hearing¹¹ held to receive evidence from a former residential school “graduate,” age fifty-one, to determine whether he, in fact, suffered sexual abuse. The quasi-legal process they employed was inappropriate and showed little familiarity with the context of Indian-White relations, trauma and its effects, and contemporary First Nations family and community life. It did little to dispel suspicion of professionals, even those wishing to be allies of First Nations.

A further obstacle to reconciliation is the phenomenon of passive acceptance by First Nations of what the government offers, as well as the absence of voice that contributes to silence in the face of injustice. What chance do those caught

What chance do those caught in passivity and silence have of engaging in the current dialogue on residential schools?

in passivity and silence have of engaging in the current dialogue on residential schools? And how will the contribution of those who do have their voice foster reconciliation in Canada if there are few listeners?

The colonized society as a whole is made to think of itself as entirely alone in the universe—completely vulnerable and unprotected. At the individual level, colonized people learn to hide their real feelings and sincere beliefs because they have been taught that these are evidence of ignorance and barbarity. From this loneliness comes a lack of self-confidence, a fear of action, and a tendency to believe that the ravages and pain of colonization are somehow deserved. Some blame themselves for all the pain that they have suffered.¹²

The greatest challenge in the process of reconciliation may be in achieving fundamental changes in the thinking and belief systems of both colonizers and the colonized. The first step in successfully addressing this challenge is to recognize the dynamics and effects of this country's history of colonization on both parties. Reconciliation will be attainable only by decolonizing the thinking of First Nations and all Canadians. First Nations are the leaders in this process as they reclaim their autonomy and emerge as whole people concerned about creating communities-of-care, wherein all members attend to each others' safety, security, and well-being and honour personal and communal gifts of the Creator.

Racism has at its core an absence of belief in the worth and capabilities of those who are its target. This attitude becomes institutionalized in many systems where it operates mostly 'out of sight.' The public education system that most First Nations, Inuit, and Métis children and youth attend offers curricula anchored in the Western world view and its ways of knowing. Because this approach and strategy has been problematic for most Aboriginal learners, and although their advocates have succeeded in modifying service delivery in many places, many of the same problems continue. Efforts to acknowledge the learners' cultures and build upon them have not included formal recognition of Indigenous knowledge as legitimate curriculum content and a reliable source for shaping the teaching and learning strategies. Until this is done, roots for racism will continue to thrive.

There is a growing movement to indigenize post-secondary education institutions. The goal is to improve the quality and relevance of education for Indigenous learners by grounding it in cultural knowledge and traditions. Indigenous learners are better equipped to provide leadership in both Aboriginal and mainstream communities if they obtain an education based on their own heritage, cultural knowledge, and history. They can become key change agents in bringing about true reconciliation. Fully accredited practitioners anchored in

their own culture and traditions are essential to addressing the legacies of the past and to leading initiatives in family restoration, economic self-sufficiency, human and social development, governance, health, and education.

Mainstream programs prepare our people to work in mainstream contexts. If Aboriginal people choose to work with their own people, they must struggle to adapt what they have learned in order to offer effective service because of the differences in mainstream and Aboriginal values, worldviews, practices, and living conditions. The indigenization of a program would be reflected in the curriculum content, the methodologies used for implementation, the physical learning environment, and the strategies to bring together Indigenous and Western paradigms and practices. As educational opportunities build upon Indigenous knowledge, ways of knowing, and values, promising practices increase and make a positive difference in our lives. We empower ourselves to recognize exclusion, isolation, and racism and to find voice, vision, and ways to create a positive future.

DE-COLONIZING EDUCATION

In 1988, together with two colleagues and volunteer board members, I established Sal'i'shan as a cultural-based post-secondary institute dedicated to the education and training of community health workers and addictions counsellors. At that time, there was no systematic, culturally-relevant educational preparation for on-reserve workers in the province of British Columbia. Development of the curriculum and its delivery was guided by the teachings of Paulo Freire,¹³ a Brazilian who developed ways for oppressed people to learn about how to learn and, through this, how to empower themselves. Freire's work showed me that the learners needed to understand the realities they were addressing from the perspective of the bigger historical picture of government-Indian relations, a process of imposed change resulting in continual dehumanization since the time of contact. Freire's model of dialogue and anti-dialogue provided the framework for understanding the relationship between the oppressors and the oppressed.

Dialogue or a healthy relationship is characterized by two or more people interacting at the same level and sharing information in mutually respectful and helpful ways. They communicate and, together, make meaning of the topic under consideration. Verbal and non-verbal messaging is equally important to the process. Effective mediation of learning is based upon such sharing of information.

Anti-dialogue does not support genuine communication or meaningful healthy interaction. It is characterized by two or more people interacting at different levels. The person at the highest level poses as an expert and takes it upon himself or herself to direct others, to tell them what to do, and so on. People in this position maintain a distance from the learners and have a need to conceal their real self; they do not want others to get to know them as whole people. At the extreme, they do not like to be asked questions or to share any kind of information voluntarily. They are easily threatened, especially by someone who expects to be respected and heard, knows his or her human rights, values moral and ethical ways, and is well regarded in the community. Their choice of partners, employees, and friends are people who will follow their lead, rather than question or disobey.

I began to apply my understanding of Freire's teachings after studying with him at the University of British Columbia and in Brazil in 1984–85, and have done this work primarily with First Nations workers, leaders, and community members via programs and courses offered mostly by the Sal'i'shan Institute. I have found that First Nations community members, elected leaders, workers, and volunteers alike have no difficulty identifying with the oppressed and can relate their understanding of the concept to Indian-government relations and to teacher-student, employer-employee, and parent-child dualities. They also connect easily with reasons why the oppressed choose to depend or rely upon the oppressor. They can understand the risks involved when the oppressed decide to break free from the dependence and the apparent safety and security of such a relationship. They also begin to make sense of why some people become oppressors in our families and communities.

When learners recognize that oppressors in their midst most likely had started out living life as oppressed people and have shifted to their dominant role from the lesser one, they begin to see themselves as possessing the same capability. They point out that such a person will assume the role of the oppressed with some people while behaving as the oppressor with others. They recognize that this behaviour describes most of their experiences with the Canadian public—in the store, the government office, the classroom, the doctor's office, and so on, and sometimes in the homes and offices of their own people. As students become able to identify the oppressive use of legal and bureaucratic constraints within their own communities and in the wider society, and at national levels, they can then develop strategies for making change in their own lives and in other social systems.

It is the recognition and understanding of these dynamics that makes it possible for persons to change if they so choose. They become able to live

life as healthy, effective, nurturing persons instead of as victims. Growth and development of this kind is facilitated by active support from those who possess confidence, social skills, and a relatively secure personal and cultural identity. Guided teaching and learning informed by knowledge of traditional teachings connected with core values, beliefs, and practices promote understanding and appreciation of the downsides of functioning as an oppressor and the blessings and benefits of living life as a person respectful of self and others.

Paulo Freire devoted his life to helping people discover their personal power to make meaning by becoming critical thinkers, making their own history, and thus knowing freedom and inner peace. He wrote about the banking concept of education, the process of schooling wherein teachers work to “fill empty heads” with the prescribed information, rather than focusing on a process of learning that is empowering for all—the learner as well as the teacher or mediator. Such a learning process is one which validates and builds on the life experiences and cultures of the learners. Unfortunately, the dominant pedagogy throughout mainstream schooling remains.

Survivors of residential school tell many stories about being strapped, being called derogatory names, and being punished for failing to measure up to expectations. As the residential schools faded into history and more and more First Nations children entered other schools, effects of oppressive pedagogical practices continued. Too many teachers perceived the First Nations child as ‘less than,’ incapable, and not worthy of their time and attention. Teachers blamed the children for their poor performance rather than seeking strategies for engaging and mobilizing the children’s potential. A predictable outcome was diminishing attendance and eventual dropout.

Most of the learners attending the Sal’ishan Institute had these sorts of school experiences, with resulting insecurities and self-doubts as learners. Through our capacity-building program, we learned that many First Nations people feel inferior to non-First Nations people, and are more familiar with put-downs and rejection than with positive recognition. Violence and abuse are familiar to most people, and fear is a major motivating force, especially fear of people who employ violence or use threats to get their way. It is not unusual for parents to choose not to become involved at the school their children attend—this is not surprising given their own abusive experiences at school. Relationships of trust are difficult to establish, and intimacy is a challenge. Many students have little knowledge of their family and community history, and this affects their sense of personal security and cultural identity. However, our culturally grounded curriculum and teaching methods were transformative. For example, talking circles and storytelling proved to be effective methods for fostering quality

teaching/learning processes. For most learners, the process of discovering or rediscovering their personal and cultural identity was crucial in initiating the journey toward wellness. Developing an understanding of the connections between the historical past and the present was a critical factor in shaping this new sense of identity. The majority of graduates discovered their abilities as critical thinkers, shed negative beliefs about themselves and their cultures, and were empowered as change-agents in both their personal and work lives.

BUILDING BLOCKS FOR RECONCILIATION

Our forefathers knew how to make history and did their best to continue to do this in respectful ways, even under serious untoward circumstances. Many of their descendents are not familiar with what it takes to make our own history because we have suffered the constraints of imposed laws, values, customs, and practices. The consequences of colonization must be acknowledged and understood by all Canadians, including our First Nations and other Indigenous populations. A new vision of mutual respect must be used as a basis for bringing equity and goodwill into a genuine process of conciliation.

Relationship is a key value in Aboriginal cultures; one must at all times recognize the value of the other and demonstrate respect and a willingness to discover and honour uniqueness in a relationship, whether it is with people, land, creatures, or the Creator. One is called upon to be open to learning and to become changed for the better by the other; everyone and everything is a potential teacher in the ongoing journey to wholeness. In relationship, one must be willing to take responsibility for the impact of one's behaviour toward the other, as well as responsibility for managing and learning from one's responses to the other's behaviour. Each party in the relationship is equal in worth to the other, regardless of differences in age, knowledge levels, insight, or personal authority.

This traditional way of understanding relationships can be a model for revising the imbalanced relationship between Indigenous peoples and Canadians generally. Significant numbers of Canadians, some with considerable power, have realized that the well-being of Indigenous citizens will contribute to the well-being of the whole society; they are motivated to achieve greater equity in the relationship between First Nations communities and Canada as a whole.

The appeal for such a changed relationship was the primary recommendation of the Royal Commission on Aboriginal Peoples.¹⁴ It provided a wealth of information to counter stereotypes and accurately ground perceptions and understandings about First Nations history and present realities. More such

knowledge from First Nations' points of view must be incorporated into primary and secondary school curricula so that Canadians from an early age can learn to regard Aboriginal people with respect, become familiar with the historical realities of their lives, and grow to work together in building this multicultural country.

There are still far too many First Nations people who live in oppressed and oppressive ways, fear responsibility, and use addictive substances to cope. Such people do not "make their own history," they let others make it for them. However, there are increasing numbers who are proactive in living their lives by finding ways to deal effectively with present challenges and working together to create a positive future. These people are major assets in the work that must be done to bring First Nations quality of life into equity with that of the majority of Canadians. They truly value the knowledge, skills, beliefs, and values they possess and apply these in their everyday life as Aboriginal individuals living in Canada. They are proud of the teachings of their ancestors and what they have learned from other nations as they work today for tomorrow and do what they can to promote family health and community wellness. Formal recognition of Indigenous knowledge, ways of knowing, core values, languages, and cultures by Canada's core institutions would significantly help to pave the way toward the spirit of true conciliation.

This work must be done in partnership between First Nations and others. It must build on strengths inherent within First Nations cultures and communities. And it must be grounded in a belief in the adaptive nature of people and an optimism about the future they can create together in the land they share.

NOTES

¹ I speak primarily of First Nations because I was raised in a First Nation community and do most of my work in that context, and not that of the Métis or Inuit communities. I refer to all three populations when I employ the concepts 'Aboriginal,' 'First Peoples,' or 'Indigenous.'

² Oxford Dictionary, Major New Edition (2001).

³ Oxford Dictionary, Major New Edition (2001).

⁴ This is based on my own personal knowledge of British Columbia history. The gold rush in the 1850s and settlement from the West and South were felt strongly throughout the Fraser Valley (my home territory).

⁵ Based on personal recollection.

⁶ Dad shared this information with two of my brothers who later shared it with me, the eldest son.

⁷ Mussell, Bill (2005). *Warrior-Caregivers: Understanding the Challenges and Healing of First Nations Men*. Ottawa, ON: Aboriginal Healing Foundation.

⁸ For a detailed account of the impact of disease and other effects of colonization on Indigenous populations in the Americas, see Wesley-Esquimaux, Cynthia C. and Magdalena Smolewski (2004). *Historic Trauma and Aboriginal Healing*. Ottawa, ON: Aboriginal Healing Foundation

⁹ While studying life at St. Mary's Mission Residential School, I had read about such incidents.

¹⁰ Mussell (2005:115).

¹¹ As support for a former student and a claimant, I was permitted to attend the hearing.

¹² Daes, E.I. (2000). Prologue: The Experience of Colonization around the World. In Battiste, M. (ed.) *Reclaiming Indigenous Voice and Vision*. Vancouver, BC: UBC Press : 3–8.

¹³ Freire, P. (1970). *Pedagogy of the Oppressed*. New York, NY: Continuum; and (1973). *Education for Critical Consciousness*, New York, NY: Seabury Press. Also relevant to the discussion is this book by Freire's student: Shor, Ira (1993) *Empowering Education: Critical Teaching for Social Change*. Chicago, ILL: The University of Chicago Press.

¹⁴ "To begin the process, the federal, provincial and territorial governments, on behalf of the people of Canada, and national Aboriginal organizations, on behalf of the Aboriginal peoples of Canada, commit themselves to building a renewed relationship based on the principles of mutual recognition, mutual respect, sharing and mutual responsibility; these principles to form the ethical basis of relations between Aboriginal and non-Aboriginal societies in the future and to be enshrined in a new Royal Proclamation and its companion legislation. Royal Commission on Aboriginal Peoples (1996:695). Report of the Royal Commission on Aboriginal Peoples, Volume 1: Looking Forward, Looking Back. Ottawa, ON: Minister of Supply and Services Canada.



Elkhorn Indian Residential School
Photo: Courtesy of Janice Longboat

DAVID MACDONALD

David MacDonald grew up in Prince Edward Island. He is a graduate of Prince of Wales College in Charlottetown, Prince Edward Island, and Dalhousie University and Pine Hill Divinity Hall in Halifax, Nova Scotia. David also holds several honorary degrees in law and divinity. Ordained as a United Church minister in 1961, he served as pastor in Alberton, PEI from 1962 to 1965. He is a former Member of Parliament and has served in Cabinet as Secretary of State, Minister of Communications, and Minister Responsible for the Status of Women.

David's commitment to social justice drew him into a variety of human rights issues within Canada as well as abroad internationally. In the 1980s he worked as logistics coordinator for the Papal Visit, Canadian Emergency Coordinator/African Famine, and later as Canada's ambassador to Ethiopia and Sudan. He led the World Council of Churches delegation to the Special Session of the United Nations on Disarmament and served as chair of the Global Network on Food Security. From 1995 to 2005, he taught at Concordia University in Quebec and, since December 1998, served as special advisor to the United Church of Canada's General Council Steering Group on Residential Schools.

The process of writing this paper brought David back to his early life where his experience of the Aboriginal world was based solely on media images of cowboys and Indians. He remembered being introduced to Mi'kmaq culture at summer camp and, later, to Ojibway people at Lake Temagami in northern Ontario. When First Nations were granted the federal vote in 1962, he cast his ballot in the chief's house on Bear Island. While these encounters broadened his horizons, it was not until he became involved with Mi'kmaq people on Prince Edward Island that he began to truly understand how personal relationships can alter deeply entrenched attitudes that inhibit trust, respect, and goodwill among people with very different cultures and life experiences. David believes that a process of real reconciliation will require dealing directly with the major issues that have caused a rupture in the relationship between Aboriginal and non-Aboriginal peoples.

In *A Call to the Churches*: "You shall be called the repairer of the breach," David makes a passionate call for non-Aboriginal Canadians to enter into relationship with Aboriginal people, to learn about Aboriginal history, and to engage in and support Aboriginal issues. He invites non-Aboriginal people "to walk with Aboriginal women, men, and children who share this land with us" and presents concrete ideas to inspire individuals and church congregations who wish to work toward repairing the breach.

A CALL TO THE CHURCHES:
"YOU SHALL BE CALLED THE REPAIRER OF THE BREACH"

On a late Sunday in August 2007, I sat in a downtown church in Halifax where the Minister read from Isaiah 58:12: "you shall be called the repairer of the breach."¹ The words spoke to authentic acts of compassion and justice.

In an instant I could see what true reconciliation is all about. It is recognizing and responding to the hurt and the need. Years of alienation and oppression resulting from Indian residential schools require a concrete response. Without that, reconciliation is nothing more than hollow words without meaning. The challenge of reconciliation is both to know and do the truth. These are not separate functions, but part of the same reality.

At the outset, the task is enormous. We are being asked to come to terms with over five hundred years of collective history and experience and uncover its truth. Though it is true that the residential school experience occurred during only part of that time, the multi-generational impact has deeply entrenched the pain and loss that we now face.

There are pioneers who have blazed trails for us to follow. Gail Valaskakis was the first Director of Research for the Aboriginal Healing Foundation. In her life and work, Gail found a way of drawing together her First Nations heritage and academic accomplishments to help others understand more clearly what we can achieve. In her book *Indian Country*, she relates the story of a visitor driving on an unmarked reservation road searching for the Duck Lake pow wow:

He sees an old Indian piling wood. He rolls down his car window and calls out, "Where's the road to the Duck Lake pow wow?" Without looking up, the old man answers, "Don't know." The man in the car rolls up his window, muttering, "Dumb Indian." The old man looks at the stranger and says, "I might be dumb, but I'm not lost!"²

She follows with the following observation:

For five hundred years, the social imaginaries of the dumb Indian and the lost white man have travelled together on distinct historical journeys. The trip has been arduous and eventful, and the destination is still uncertain. Shackled to one another in cultural conflict and political struggle, Natives and other North Americans have lived different social realities. The chain of histories and heritages, of

images and experiences that divides Natives and newcomers is linked to the popular culture and political protests that mark the social landscape of the continent.³

It is quite possible that the year 2008 will be a turning point for Canadian churches in coming to a much deeper understanding of their long-term relationship with Aboriginal peoples.

The *Indian Residential Schools Settlement Agreement*⁴ means that churches are being granted an enormous opportunity. We are being invited to learn the whole truth of Indian residential schools and to share that truth with one another. We are being invited to live out the various apologies we have made in the last decade or so. We are being invited to walk with Aboriginal women, men, and children who share this land with us. We are being invited to listen to them, learn from them, honour them, and celebrate with them the recovery of our true humanity.

The invitation does carry with it pain and anguish about our past. It is not risk-free and without cost, but the invitation does have the promise of healed and restored right relations. In 2003, the General Council of the United Church made a commitment to building right relations:

In all that we do in relation to our responsibility for the residential schools system, the goal of working toward right relations between Aboriginal and non-Aboriginal peoples should be uppermost in our thoughts, words, and actions. By so doing, we will honour the gift that comes from our Creator, "who reconciled us to himself through Christ, and [who] has given us the ministry of reconciliation." (2 Corinthians 5: 18). We will also be honouring the invitation from the Aboriginal members of our church to "walk hand in hand."⁵

This statement affirms the belief that we are to act to overcome and, indeed, reverse the decades and centuries of discrimination and exploitation. We may not know yet what that looks like, but we do know it requires a major commitment on our part.

We cannot, nor should we, simply remain stuck in the past. The good news is that we do not have to let that brokenness be the final answer. We have renewed possibilities. We have hope. Until now, we did not have the potential or the opportunity for a fresh start. There was little possibility of overcoming the centuries of exploitation, discrimination, and fear. Now, there is a commitment

from all sides to seek a new and dramatically better relationship. We need to be vigilant in looking for all these opportunities.

As the words of Isaiah state, we are being called to be repairers of the breach. These words describe the actions of one who seeks to overcome injustice and establish renewed and right relations with those who have been rejected.

BUILDING RIGHT RELATIONS

In 1987, leaders of Canadian churches proclaimed a new covenant, which was issued on the fifth anniversary of the adoption of the new Canadian constitution and the *Charter of Rights and Freedoms*. It spoke specifically to the constitutional recognition and protection of Aboriginal self-government in Canada.⁶ This covenant was subsequently reaffirmed in March 2007. Behind the covenant lie many challenging and difficult years as the churches struggled to come to terms with their colonialist past. In particular, the last decade has been an agonizing one for the churches in discovering the degree to which they had participated in a ruthless program of assimilation of Aboriginal children. Stories have been told of acts of cruelty and disrespect, which are totally at odds with the stated attitude and practices of these very same faith communities. Increasingly, church members are recognizing that attitudes and acts, which were not just a part of these schools but also deeply resident in all aspects of Canadian society, run counter to what the churches themselves believe and declare.

Indian residential schools are among the most shocking and shameful realities in Canadian history. While the earliest schools predate the country of Canada itself, their full intent, impact, and reality virtually came into existence as Canada was being created. We are faced with a considerable historical dilemma. More than a hundred of these schools existed for over a century in all parts of the country, yet many people have great difficulty believing they actually existed.

From the vantage point of today, one is forced to ask: *How did this happen? What was in the minds of government officials and church leaders?* There is no easy answer. While much has been written during the last several decades to describe the punishment and hardship experienced by successive generations of vulnerable children, much less has been written to explain in detail the reasoning of government and church personnel in promoting and supporting these initiatives. At the time of first contact, it would appear that the early European visitors, explorers, and traders saw the long-time resident Indigenous peoples as valuable allies in learning more about their new surroundings; certainly, they

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benefited from the special knowledge and skills these people possessed. There are many accounts of the friendships and intimate relations that developed. The early decades were indeed ones of exploration as well as exploitation. But by and large, they happened in the context of mutual respect and a relationship of reciprocity. The notion or the need for *reconciliation* would never have crossed anyone's mind. How far we have travelled from those earliest days.

In retrospect, it seems clear that a critical line was crossed at some point which resulted in a disastrous change in that relationship. Aboriginal people were no longer seen as equals, no longer accepted as compatriots in the adventure of knowing and benefiting from this land; instead, they were treated as wards of the state and the relationship descended into one of adversity, violence, oppression, and exploitation.

Familiarity and friendship turned to fear and disrespect. As increasing numbers of European immigrants saw opportunities for a new homeland with the possibility of enormous amounts of land, their agents and officials realized they now had to solve the so-called Indian problem. This at first subtle and then increasingly profound shift in attitude and intent has proven to be one of the blackest marks on Canada's history.

Today, many people are frustrated in their attempt to make sense of Indian residential schools, land claims struggles, protests, and blockades as well as a host of Third World conditions that exist for so many First Nations, Métis, and Inuit people throughout this country. For some, the easiest explanation is to blame the victims.

We will make little progress toward resolving social, economic, educational, community, and political issues unless we understand how all this happened in the first place. Reconciliation is not even a remote possibility without some basic understanding and insight. Do we really want to know how all this happened and are we really committed to doing something about it? These are not easy questions. It is both disappointing and disturbing how often we are willing to resign ourselves to what is. Without much understanding, we can come to conclusions that comfort us in our conviction that little can be done. It must also be admitted that through a combination of fear for some and special benefit for others, doing nothing sometimes seems the only answer.

I believe, however, that if reconciliation is both our goal as well as our intended course of action, then we cannot be satisfied with our state of ignorance and inactivity. We have a significant job to do. We must begin by knowing what our real history is, what it means, and what it tells us about what we must do now.

Thomas R. Berger, in his book *A Long and Terrible Shadow: White Values, Native Rights in the Americas Since 1492*, suggests the attitude to Aboriginal people was finally set by the end of the War of 1812.

There would be no wars fought to exterminate the Indians. The White population regarded the Indian culture and way of life as primitive and anomalous. Insofar as they thought about it at all, Canadians were inclined to believe that the Indians had to be taught the arts of civilization and the duties of citizenship. As the Indians moved from what J. R. Miller calls “alliance to irrelevance,” the British and their Canadian successors responded with a change of attitude from respect and gratitude to pity and contempt.⁷

This fateful shift may not have appeared ominous at the time but, in retrospect, it has been a disaster for us all. The better part of the last two hundred years has cast Aboriginal and non-Aboriginal populations into preconceived notions of who we are, what we are about, how we see one another, and therefore how we should treat one another. We know only too well the deeply entrenched stereotypes of native people in this country. They are parallel to ones that exist among Aboriginal folk. Harold Cardinal wrote the following almost forty years ago in *The Unjust Society*:

An Indian, who probably wasn't joking at all, once said, “The biggest of all Indian problems is the white man.” Who can understand the white man? What makes him tick? How does he think and why does he think the way he does? Why does he talk so much? Why does he say one thing and do the opposite? Most important of all, how do you deal with him? As Indians, we have to learn to deal with the white man. Obviously, he is here to stay. Sometimes it seems a hopeless task. The white man spends half of his time and billions of dollars in pursuit of self-understanding. How can a mere Indian expect to come up with the answer?⁸

So in dealing with economic, social, political, and racial pressures for the past several centuries, we have each suffered within the iron prison of stereotypes of the other, and there has been almost no opportunity to break free as a result. Early experiments with education as a tool for cultural transformation and assimilation were begun. And, ultimately, an unholy alliance of church and state would see this grand project as the means toward a final solution.

As attitudes and assumptions became more deeply entrenched, the practice of removing very young native children from their homes and traditional

surroundings was seen as the best means of creating new, so-called little Europeans. That this experiment would last for well over a hundred years with each generation being more affected and disabled than the previous, never seemed to be understood until the very end. And even then, some saw the demise of the Indian residential school system as a genuine loss.

Parallel to all this was the increasing encroachment of settlers and their hunger for land. Treaties that had been agreed upon in earlier times were easily abrogated with the belief that the state was acting in the best interest of all. Aboriginal people were a problem to be managed and contained. They were seen to have limited rights. Citizenship was for the newcomers who came with commercial and property rights. Natives, to the degree they mattered at all, were seen as quaint, possibly romantic, figures from a bygone era.

Our modern era has set the stage to revisit our shared history of the last five hundred years. There is no doubt that some time in the twentieth century, the lowest ebb was reached in the relations between Aboriginal and non-Aboriginal people. Certainly, until the Second World War, there was an absolute and unbreachable wall between these two cultures. While it would be false to say that either side was monolithic, an overview of the situation would say this was the ultimate in two solitudes. However, beginning in the late 1940s, as the first serious questioning occurred on the wisdom of residential schools and the failure generally of any policy which dealt with native people, a dawning began to occur.

In 1964, an unlikely request from the Minister of Indian Affairs to the University of British Columbia was made "to undertake in conjunction with scholars in other universities, a study of the social, educational and economic situation of the Indians of Canada and to offer recommendations where it appeared that benefits could be gained."⁹ This report, named after the chair, H.B. Hawthorn, articulated for the first time the recognition that First Nations people were "citizens plus." Alan Cairns explains Hawthorn's use of this term:

The Hawthorn 'citizens plus' suggestion, originally directed only to the status Indian population, but capable of extension to the Inuit and the Metis, was an earlier attempt to accommodate the apartness of Aboriginal peoples from, and their togetherness with the non-Aboriginal majority. The 'plus' dimension spoke to Aboriginality; the 'citizens' addressed togetherness in a way intended to underline our moral obligations to each other.¹⁰

At this same time, the National Indian Brotherhood, which would eventually become the Assembly of First Nations, was founded. In 1969, the federal government's *White Paper* on Indian policy¹¹ ignited a storm of protest that significantly increased Aboriginal determination and solidarity. This was also the year that the churches officially withdrew from participation in Indian residential schools.

Other highlights from the last half century are undoubtedly the 1982 *Constitution Act*, particularly section 35 and the *Charter of Rights and Freedoms*, as well as the Royal Commission on Aboriginal Peoples (1991–1996) and countless subsequent decisions of the Supreme Court. Indeed, it should be said that the most consistent progress in the past quarter century has not been a result of legislative leadership but, rather, the impact of the new constitution itself and its acknowledgement through the courts.

With respect to Indian residential schools, the most recent developments were the series of class action lawsuits, the Supreme Court decision (*Blackwater vs. Plint*, 2005¹²) and, ultimately, the negotiations toward the *Agreement in Principle*¹³ in 2005.

Now we have begun to implement the *Indian Residential Schools Settlement Agreement*. The Prime Minister has promised an apology and a truth and reconciliation commission will be created. What other actions might effectively acknowledge a new resolve to create right relations? A historic public ceremony signalling recognition and repentance, involving both civic and church leaders, would certainly be appropriate. The Governor General, Prime Minister, and other government officials, along with the primates, moderators, presidents, and archbishops of Canadian faith communities should participate. As honoured guests there should be the National Chief of the Assembly of First Nations and the leaders of all the national Aboriginal organizations. Acts of contrition and the presentation of symbolic gifts are needed. The new covenant, earlier referred to, could be expanded and endorsed by all. Concrete information and explanatory material for the media and the general public will be very important.

Overall, the churches have been given a tremendous gift and opportunity. The *Agreement* represents an opening to initiate many actions toward right relations. The next decade should be a period of working toward a new relationship that actively anticipates the next seven generations. Resonating themes might be chosen to stress our common humanity and our deep connection to the earth and to one another.

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Reconciliation does not begin and then end on certain dates; it is a process of acknowledging and coming to terms with oppression of the people and moving forward. Every country that has gone through a truth and reconciliation process has done so because of oppression. The fear is that the government will see the residential schools as the only reason for the process and say, "we have discussed this, we have offered compensation, and it is time to move on." There is potential for this commission to go much deeper.

Elizabeth Hourie Palfrey
AHF Board member
Métis
Based in Winnipeg, Manitoba,
and Rankin Inlet, Nunavut

We now have the opportunity to learn our true history, to repent, to apologize, to heal, to reconcile, and to restore right relations. There can be no reconciliation without right relations, and no right relationship without reconciliation. All of this sets the stage for a significant public engagement. In other words, it may become possible for the first time in several hundred years to engage in a meaningful process of truth-telling and reconciliation. But it will not be easy. There are many ways in which the process can be derailed; apathy and low expectations could lead to a situation where very little will change.

All of us will be offered the opportunity to envision and collaborate on an agenda that could begin to restore the balance and harmony that has been so badly and willfully damaged. Reconciliation is not automatic. It must be a shared journey based on mutual respect and a convivial belief in arriving at a very different and much better place. One aspect of that could be some measure of forgiveness from those who have been so seriously wounded. But, as my colleague James Scott pointed out in his presentation to the Calgary conference on Truth and Reconciliation, "Forgiveness is something that can be sought but never demanded. The request for forgiveness returns a measure of control to the wounded party. Will you forgive me?"¹⁴

It would be a helpful exercise to imagine what a process of reconciliation could look like as well as to envision the changes that might occur. Given the virtually non-existent relationship between Aboriginal and non-Aboriginal people in Canada today, this seems like a tall order.

In light of socio-economic, cultural, and political gaps the goal becomes even more daunting; however, just because it is difficult does not mean it is impossible. Perhaps another way of looking at the challenge is to ask the question: *What does each group have to gain?* In many ways, this is a more useful way to proceed. It has energy. It has hope.

How should we go about building a reconciliation process and agenda? Who are the ones who will be the most willing to help and participate? A First Nations person once said to me, "You should know that Aboriginal relations are fundamentally personal." I would echo that and say that the experience of reconciliation is absolutely personal. Therefore, personal contacts will be critical to building the safe and trusting relationships that can lead to reconciliation.

There will need to be a preparatory stage for all parties. We will need to seriously re-examine our real history. We will be forced to question assumptions and dubious truths, which we have mostly accepted without question or concern. How can we begin to learn about one another? Can we begin the journey of

walking in each other's shoes or moccasins? There will need to be some serious study and some initial steps of actually meeting one another as persons. We can hopefully work with others who have a similar experience and are also preparing for their own engagement.

We should not assume this will happen automatically. My experience is that it happens best when there is a common task and all parties have a shared investment in its success. This should not be a situation where one group is doing something for the other. There must be a real sense of partnership and mutuality. As we all work at common tasks and toward common goals, a sense of trusting and knowing the other becomes much easier. And we do share common ground.

It is acutely obvious that concerns for the environment and the health of the natural world are widely and commonly shared. We should look for early opportunities to share in the joint task of healing and respecting the earth. Another more celebratory common endeavour would be participating in community activities such as sports and other games and preparing community feasts. It would be important to plan for events covering a variety of disciplines, such as sports, music, art, drama, and storytelling.

A second stage could be community building bees to build houses and community centres. Churches, temples, and mosques in towns and cities could become special places of hospitality and friendship for Aboriginal people who have relocated from traditional homelands to the less familiar urban areas. Could we not create ecumenical friendship centres where bridges of hope and purpose can be created?

Parallel to these activities should be the preparation of resource materials and how-to manuals. What are the protocols and the customs that we should be aware of? There needs to be a realization that there is, in fact, significant diversity across the communities that make up the parties involved in reconciliation. We should not avoid this diversity but celebrate it.

There should also be national programs that identify leadership and rally popular support. Could there be some joint programming among the Aboriginal Peoples Television Network (APTN), Vision TV, CPAC, and CBC Television? What about a revival of successful past programming, such as the humorous but evocative CBC Radio program *Dead Dog Café*? Could there also be some dynamic Internet activity that would allow young people to participate in a way that speaks to them?

It will be important to have a national support system for training, resources, and networking. When there is a shared sense that all across the country people are working together in many different ways to accomplish a great task, there will be a cause for hope and great encouragement. Overall, we will need a compelling national vision of what our adventure of truth exploration and genuine and dynamic reconciliation might look like.

There are some models from our past that might assist or instruct. There have been major campaigns to address a great need and a great challenge that have seized the attention of Canadians of all stripes. Over twenty years ago, I was closely involved with two quite different and yet compatible experiences that might instruct us.

In 1983 and 1984, the Canadian Conference of Catholic Bishops prepared for the first-ever visit of the Pope. It was covered extensively on television as he visited more than forty-five locations in most provinces. We all learned a lot about the diversity of the Catholic Church, the diversity of the country, and the possibility for all of us, Catholic and non-Catholic alike, to share in that visit.

Immediately afterwards, we were caught up in our response to the famine in Africa, which was threatening more than a dozen countries, particularly Ethiopia and Sudan. It has been said that there "was a pandemic of giving in this country ... Canadians rallied to the cause ... Those with the least gave most."¹⁵ There were local events that focused on the hunger in Africa in thousands of communities across the country. Again, there was an active use of the popular media. Many learned for the first time about the underlying causes of famine and how it could have been prevented.

There are many other examples, but what they all tell me is that we need to seize the popular imagination and find a host of practical ways for all people to be involved.

What might a nationally organized campaign on truth and reconciliation look like in Canada? There are numerous examples of truth and reconciliation processes in other countries, but the context is so different that I believe we will need to be creative in devising our own here. In 2006, I attended a tenth anniversary conference in Cape Town, South Africa, to review what had been accomplished in that country as well as in other places around the world. The conference theme was "Memory, Narrative and Forgiveness."¹⁶ It should be noted, however, that while the individual experiences could be similar, the overall social, economic, and political contexts were, in most cases, totally different from one country to the next.

There have been over twenty truth commissions of one sort or another in the last several decades. In most other cases, a formal process of truth and reconciliation occurred following some major social upheaval and political change. That has not happened here and there are no prospects for it happening in the immediate future. This is not to say that some modest changes are not already occurring; other major changes are increasingly a possibility. Truth and reconciliation could very much contribute to that.

So we need to be very creative and completely relevant to the present situation. What are the assets we bring to this task? The most important asset is the fact that each necessary institution and representative body has agreed to join together as partners. That means partnership across government, church, Aboriginal, academic, and legal communities. These are formidable partners, who are not always easy to move but have very significant constituencies. There are also committed financial resources that are not inconsequential.

So how do we use these elements in a creative way? There need to be specific events, such as a national day of repentance and a commitment to work toward reconciliation. The media should be seen as a key ally. The tools that are available within that avenue of partnership clearly present enormous possibilities. These avenues should not be seen as ends in themselves, but as active strategies within an overall plan. Some combination of popular television and Internet are clearly possible.

While the full and continuing impact of Indian residential schools is the central issue, I am tempted to think that the focus should be children and youth, as the Aboriginal population is young and growing at a rapid pace.¹⁷ Here is the dilemma: over eighty thousand residential school Survivors still alive today are mostly elderly. They are the grandparents of this large youth population. Could one part of the process be a structured collaboration between the very old and the very young? Where does the non-Aboriginal population fit in all that?

What if we devised some sort of cross-Canada caravan with the use of the railroads? Could there be a “Our History, A Journey Toward Right Relations” train, following the example of the immigration museum at Pier 21 in Halifax, that tells the story and also allows people to explore what that means to them today? Could it have music, drama, art, dance, and audience participation? When is the train coming to your town? Will you be on it? Will you visit it? There could be drumming and various sorts of music and a special visitors’ tent. What about special performers, both Aboriginal and non-Aboriginal? From time to time we have seen the power of this type of approach. When you

The process has to reflect and include the possibility of reconciliation with all the parties concerned—Survivors and their families, communities, churches, government, and the people of Canada.

*Susan Hare
AHF Board member
Ojibway
M’Chigeeng, Ontario*

recall Canada Day presentations and special pageants involving music, dance, and drama our imaginations have much to work with.

A key aspect to all this is to gather and share stories. This will be an important opportunity to give value and respect to the experiences that people had while at residential schools. There is a need to have a varied and sensitive approach in encouraging former students and staff to share their experiences. There will be aspects to this whole process that might be similar to those who experienced the Holocaust or other experiences that arose out of systemic destruction and oppression.

Perhaps some distinctive pin or badge could be developed that would recognize all those associated with this project. It would include Survivors and their family members and descendants as well as non-Aboriginal people who are making a significant contribution to truth-seeking, healing, forgiveness, and reconciliation.

Such a national project could be the occasion for media involvement proposed above, with CPAC, CBC Television, APTN, and Vision TV collaborating to provide live television coverage, not only providing information but also creating a forum for dialogue as the country grapples with the history and resolution of the legacy of Indian residential schools.

We need to create opportunities for people to have in-depth encounters, for example by participating in retreats and traditional activities and, where appropriate, ceremonies. One such example is found among Catholic communities that experienced the power of new programs such as *Returning to Spirit*. "This healing program, developed in the Diocese of Mackenzie-Fort Smith ... has been praised for creating the possibility for individuals and groups consciously to create a future based on forgiveness, trust, collaboration and appreciation."¹⁸ Traditional Aboriginal experiences, such as sweat lodges within some First Nations traditions, could open up more experiential approaches. We should also utilize what has been learned in the inventory of programs that the Aboriginal Healing Foundation has supported. There are many important resources here.

Artists such as Thomas King, Tantoo Cardinal, Buffy St. Marie, Susan Aglukark, Tomson Highway, and many others could be invited to participate. There should be an active presence of outstanding and creative Aboriginal artists.

Reconciliation must draw upon the diversity and uniqueness that each individual brings to the journey. There will be a temptation to think in one-

dimensional terms about only those aspects that have to do with economic, social, or political disadvantages. We also need to concentrate on the particular gifts each of us can bring. We must make every effort to get beyond the stereotypes that are so much a part of our collective baggage, which makes it difficult for us to see the depth and potential of the other.

There is another area of intercultural activity that holds great promise for the engagement of Aboriginal people and the churches. In the realm of the spiritual, it will be important to see the particular insights and experiences that are present in the native communities. Thomas Berry has spoken and written eloquently about this:

The natural world has rights ... that must be respected by humans under severe penalties, for there are forces that can eventually deal with any assault on these rights ... Indigenous peoples ... [understand this] because they live in a functioning universe, in a cosmos ... The natural world is experienced not simply as so many objects simply for human manipulation but rather as a community of subjects.¹⁹

OUR WORK HAS JUST BEGUN

The past twenty years or more have seen members of the Roman Catholic, Anglican, Presbyterian, and United churches struggling with the dawning reality of the historic truth of Indian residential schools. It has been a difficult and painful recognition. But in that period and preceding the *Settlement Agreement* some positive steps have been taken. All of these faith communities have struggled with and come forward with apologies as well as the establishment of initial healing funds dedicated to reaching out to those most seriously hurt. In addition, from initial defensive responses to lawsuits and allegations of criminal injury, there have been increasing attempts to resolve victim injuries through out-of-court mediation and dispute resolution. In many instances, both state and church have provided compensation. Educational materials and the designation of particular events such as the National Day of Healing and Reconciliation have also occurred. Finally, in the process leading up to the *Agreement in Principle*, an inclusive round table process working on a full public process and a community-based approach to truth-sharing and reconciliation was developed.

These responses should now be seen as a prelude to a dramatic turning of the page. For if the last decade or so has been a slow process of awareness and response, the next five to ten years should be seen as a rapidly evolving and even

All of these faith communities have struggled with and come forward with apologies as well as the establishment of initial healing funds dedicated to reaching out to those most seriously hurt.

The new covenant of the Christian churches signed in 1987 and reaffirmed in 2007 should be the platform ...

an unexpected and significant opportunity to come to terms with that history and to participate in major and transformative events.

The new covenant of the Christian churches signed in 1987 and reaffirmed in 2007 should be the platform for these same churches and other faith communities who choose to enter into a covenant of truth-sharing, healing, and reconciliation as the beginning of their commitment to fully live out the *Indian Residential Schools Settlement Agreement*. The historic churches who participated in Indian residential schools might hold a national service of *Apology and Repentance*. They could be part of a large, national event involving leaders of both church and state. It would announce to the Canadian public that an era of new and just purpose was being inaugurated. It would invite all citizens to actively support it.

Canada has a profound challenge and an enormous opportunity. Faith communities have an opportunity to contribute to a renewal of our respect for one another and the earth. Aboriginal peoples who have lived close to this land for millennia have a deep knowledge of the land and all its inhabitants. The wisdom of Aboriginal knowledge is one of the special gifts they may share, but the gift will only have value and meaning for Canadians at large if it is received with genuine respect for the cultures, languages and spirituality of the givers. We are being invited on a particular journey. Our destination may be less important than the experience of how we travel together.

There is particular value in examining our gifts for one another. In addition, there is a particular need to enter into acts of solidarity. Issues of justice are very much at the heart of recognizing and living out the historic treaties. Several years ago, David Arnot, Treaty Commissioner for Saskatchewan, suggested in his report that when it comes to treaties *we are all treaty people*. Most of us think that treaties refer only to status Indians, but he suggested that treaties, in fact, include all of us. How we live out those treaties is a measure of the whole quality of life of our country and all its peoples. The sooner we accept our compact with one another, the easier it will be to act in the best interests of all.

Overall, ours is a task of recovering the best of what we have to offer and sharing willingly with one another. It is also the critical work of engaging in acts that build trust and the positive realization that, in our engagement, this is not a zero-sum game but an encounter with win-win possibilities.

The challenge that I have set out for all of us on the road to reconciliation and forgiveness is one that people of faith should particularly understand for it is

based on beliefs that we all share: at the heart of all profound spiritual truth is the call to reach out to all who have suffered unjustly and through no fault of their own. While the initial part of our response is fully acknowledging our complicity in those injustices, the greater task, I believe, will be engaging in genuine acts of healing, restoration, and reconciliation.

It is of critical importance that future generations see our generation as one that responded positively and bravely to this call to be active “repairers of the breach.” We do not have all, or even many, of the answers. We will have to humbly await the lead taken by our Aboriginal sisters and brothers. Many are Survivors or descendants of Survivors who, we hope, will welcome us as companions on this journey.

NOTES

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³ Valaskakis (2005:1).

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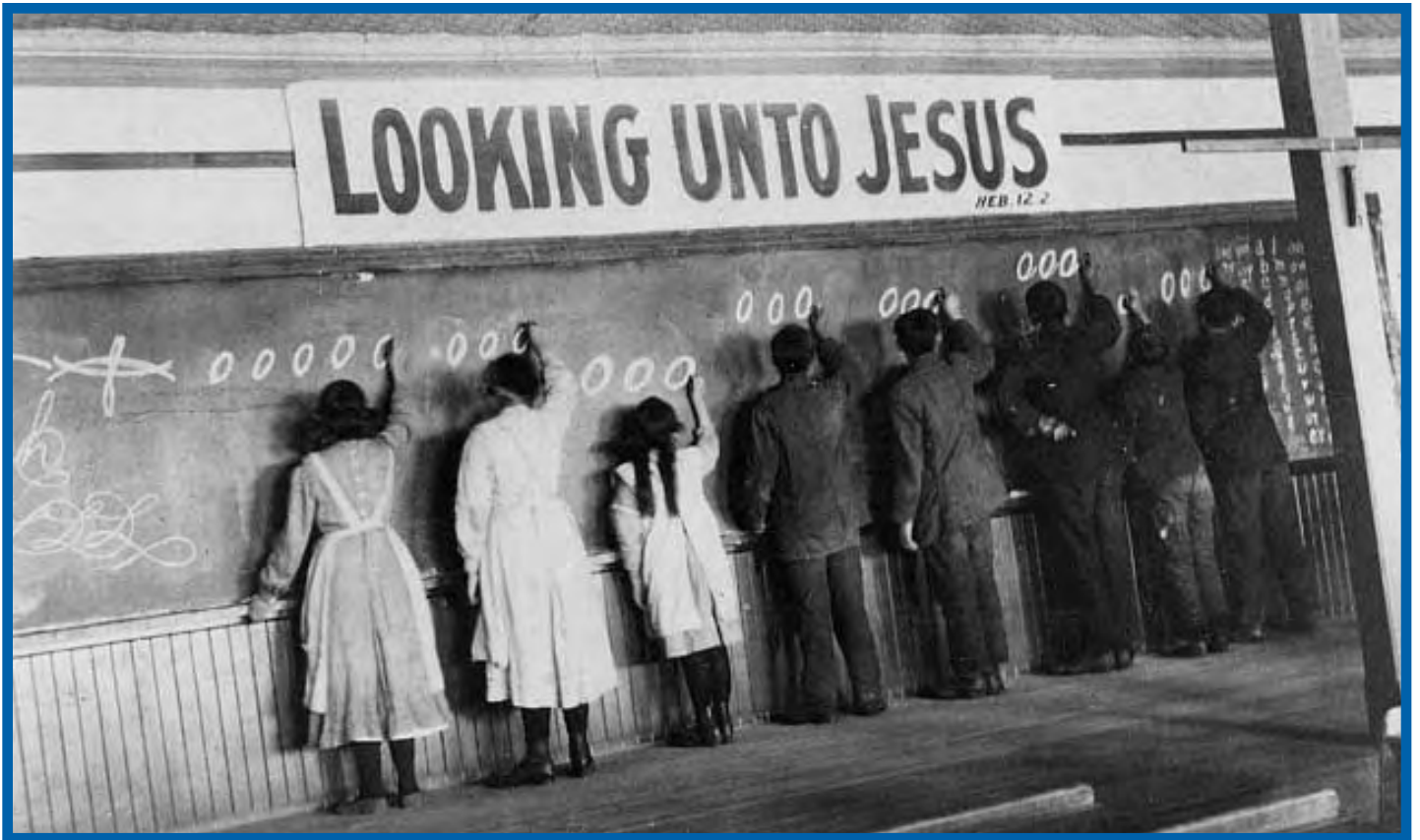
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“Looking Unto Jesus.” A class in penmanship at the Red Deer Indian Industrial School, Red Deer, Alberta, ca. 1914 or 1919

Photographer: United Church of Canada

Victoria University Archives, 93.049P/850N

(Photo: Courtesy of the Legacy of Hope Foundation)

MAGGIE HODGSON

Maggie Hodgson, a member of the Nadleh Whuten Carrier First Nation, works locally, nationally, and internationally on justice and healing initiatives. She was the founder and host for the first “Healing Our Spirit Worldwide” gathering held in Edmonton, Alberta, in 1992. The gathering attracted more than three thousand participants from around the world. Maggie spearheaded the successful national campaign, “Keep the Circle Strong, National Addictions Awareness Week,” which has grown to involve fifteen hundred communities and seven hundred thousand people. She is co-founder and national co-chair of Canada’s National Day of Healing and Reconciliation, celebrated each year on May 26th as part of an international movement that began in Australia. Maggie has also served as an advisor to the World Health Organization on addictions prevention.

Among her many awards for work in community development are the National Aboriginal Achievement Award, United Nations Community Development Award, Canadian Public Health Community Development Award, Alberta Aboriginal Role Model Award, and Alberta Alcoholism and Drug Abuse Commission Award of Excellence. She has two honorary doctorates: one conferred by the University of Alberta and a second by St. Paul’s University in Ottawa. From 1982 to 1997, she served as chief executive officer at the Nechi Institute.

In *Reconciliation: A Spiritual Process*, Maggie addresses the pivotal role of connecting or reconnecting with spirituality in promoting healing and reconciliation. Ironically, it was the combination of laws forbidding participation in ceremonies and the imposition of a residential school system that stripped individuals of their spirituality in the first place: this is at the root of the need for healing today. Maggie recounts how Aboriginal people have taken the initiative to reclaim their spiritual practices and to engage in the hard work of healing. She returns again and again to the words of Abe Burnstick, one of her teachers, who promoted the moral high road of personal choice: “It’s up to you,” Elder Burnstick reminds us. She recounts two stories of Survivors, now Elders, who received compensation for their years in residential school and how they used the money to support ongoing healing. By following these stories, we learn that money can be used for good ends, but it is the lifelong work involved in healing the spirit that leads to true reconciliation. This article is imbued with lessons if we care to look for them.

RECONCILIATION: A SPIRITUAL PROCESS

“It is up to you!” Elder Abe Burnstick

Reconciliation is a Western concept that describes a process of bringing one’s spirit to a place of peace. The long-term goal of reconciliation is to prepare ourselves for the time we go to the other side in peace. Peace is a state of spirit. We get there through hard work on our part or a willingness to ask the Creator to help us find peace in our hearts. The process of reconciliation is embodied in our mind, flesh, spirit, and attitude. We either choose to stay in pain and in anger or we are willing to do the work to effect change for ourselves. This does not necessarily mean the person or the government or the church that hurt us has to be sorry before we come to a place of peace. Coming to a place of peace and setting our spirits free from pain is a long-term process for most people and communities. Finding that place in our spirits is a lifelong journey. The reward for doing our work is being a people of hope, spirit, and commitment. We do this to ensure that our grandchildren will not have to live with our spiritual, emotional pain.

Many former residential school students experienced trauma from being disconnected from their family. Those who have moved forward understand that in order to heal from our pain we have to speak our truth and take responsibility for change. We have chosen to reverse the central pillars of the intent of residential schools and surrounding legislation that drove a spike into the hearts of First Nation, Métis, and Inuit peoples. The chilling language surrounding the “Indian question” clearly defined the legislators’ intent, which was to assimilate Aboriginal peoples by outlawing traditional ceremonies, removing children from families, and cutting off access to language and sense of identity. In 1920, Deputy Superintendent General of Indian Affairs Duncan Campbell Scott told Parliament that the object of assimilation was to continue “until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question.”¹ One cannot separate residential schools from those policies because they decreed that our children should not live with their parents and should not have access to ceremony while they were being trained to believe our cultural beliefs and ceremonies were of the devil.

When the Canadian government declared illegal the practice of native ceremonies such as the Potlatch and the Sun Dance, the result was a focused attack on the spirit of our peoples. *It was a genocidal attack on our spirit that would impact up to five generations (or one hundred years) of our peoples who attended residential schools. Taking away these and other ceremonies meant taking*

We do this to ensure
that our grandchildren
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emotional pain.

away the ideas, values, and principles basic to community mental health. With the ceremonies went security, identity, ideology, rituals, belonging, reciprocity, and beliefs along with responsibility for actions, access to resources, time together, healing, and justice. The destruction of ceremonies was the core of the Canadian government's genocidal policies. It served as a knife cutting into the heart of our culture. These policies were reinforced by the four main churches' position within the residential schools. They believed that ceremonies were pagan and of the devil. Because the majority of Canadians were of Christian origin, they supported anything that would ensure the extinguishment of pagan ways. While they believed what they were doing was right, the disrespect for our spiritual beliefs was a big mistake.

Working in Aboriginal health today, I am focused on helping other Aboriginal parents reclaim their identity. Included in my work is teaching about the fact that culture is essential to a healthy identity, both for parents, children, and the entire community. I see first-hand the thirst for teachings and connections with Elders.

Melanie Ferris, 28
Anishinaabe
Mother, entrepreneur,
intergenerational Survivor
Toronto, Ontario

Assimilation efforts served to confuse the sense of identity and the sense of personal worth of those affected. Ceremony teaches personal responsibility for one's words and actions and reciprocity, or giving and taking. When ceremony was outlawed,² they removed the very resource needed to heal from the abuse experienced by some of the people who attended residential schools. Individuals who have a spiritual foundation or who live the values and principles of the ceremonies we participate in have been most successful in reconciling with the effects of these social policies. While this sounds like a quick fix, it is not: there are many valleys and hills in our journey toward accepting that it is our choice if we stay in that pain or do the work necessary to move forward. In my case, it has been a thirty-seven-year journey and I still need to reflect on my choices when I become angry, scared, or hurt. In the words of Elder Abe Burnstick, "It's up to you! We don't get something ... for nothing, we gotta earn it!"

The people and communities who have continued to move toward a place of spiritual peace—or reconciliation—have understood that while Canada took these things away from us, it is our personal responsibility to strengthen ceremony within our families, communities, and society. Traditional and/or Christian ceremony is critical to reconciliation. The Bible and traditional ceremony each teaches with different words and rituals, but with similar living principles. The core of those two ways teaches us "To love your neighbour as yourself." Or in our way, it is the well-being of the collective that is core, and we must work to co-exist with others in a good way.

One teaching included in ceremony is the power of wind spirit. The wind spirit brings us to a place of change—change in seasons, in our lives, and in our daily choices. Our wind spirit is one of the strongest because it gives us the capacity to speak when we use our breath or wind spirit. When we speak, we have a responsibility to pay attention to our voice tone, the words we use, the names we call people, and whether we build people up or tear them down.

Wind spirit is heard in sweat lodges, in Christian hymns, and in traditional singing. Western therapists in bioenergetics encourage the use of wind spirit to release feelings through song or giving voice to one's pain, except when we use it in ceremony, we don't have to pay one hundred dollars an hour for therapy. It is *our* therapy.

Do we use our wind spirit to sing our joy? Or do we use our wind spirit to yell at government lawyers? This occurred at a residential school meeting a couple of years ago. A very dedicated IRSRC³ lawyer who works hard to ensure he listens to ways the system can work more effectively for former students was yelled at by three Elders. Later, an angry participant walked toward him punching into the air with clenched fists while the crowd of former students clapped and cheered him on. Afterwards, many of the participants laughed about how frightened the lawyer was. My heart went out to him. Is this what was learned in residential school? How to bully? Is this what gangs in our streets do? Is this where our kids are learning this use of the wind spirit, from our very own role models, the parents and Elders in our community? How many of these people were even aware of the teachings of the ceremony that speaks to the gift of wind spirit and how we have to respect this gift? The flip side of that picture was when I was at a Saskatchewan Chiefs' meeting and a Senator of the FSIN⁴ spoke before the meeting. He said we have to treat these people with respect because they do not make the rules, they are just messengers sent to tell us something. Is it only Canada that needs to apologize?

Let she who is without mistake cast the first stone!

Or should we also apologize for our treatment of government messengers? I say this as a person who has done these things at times in my past. I am ashamed of my behaviour and my words. I was told years later about something I said to a public person at a public meeting, and I immediately took the opportunity to ask forgiveness for my disrespect. I gave him a gift as is taught in my ceremony as a way to correct mistakes that affect the spirit of others. When reflecting upon the disrespect sometimes directed at government officials, some community members have responded with a defensive "Now they know how we felt!" It is our choice how we use our gift of wind spirit within the context of our daily lives and in our personal journey toward reconciliation. As Abe Burnstick said, "It's up to you!"

Another gift that can be used to heal ourselves is water spirit. Water is one of our medicines. Water spirit keeps us alive. Our eyes have water. Our body is made up of water. Our tears are water. Tom Badger, an Elder from Beaver Lake, said, "Rain cleanses the earth and our tears cleanse our souls."⁵

Water spirit is a gift we use when we cry. In residential school, many people learned not to cry. When children cried in residential school and there was no response except, “I’ll give you something to cry for!” they learned to shut down sadness. Over time, they built such a wall around their sadness that when they cry now, they say, “I broke down.” When children cried themselves to sleep because they missed their parents so much, they eventually learned they could cry all they wanted but they were still not going home. This is one of the roots of poor mental health. The sense of abandonment was experienced by many children. They wondered why their parents did not come to visit them. After one hundred years, there was not much water spirit left; in its place was hopelessness, a deep sense of abandonment, and anger. This proved to be fertilizer for suicide and addictions.

In the mid-1800s, French sociologist Emile Durkheim spoke about the result of attempts to replace the values and beliefs of one group of people with those of another.⁶ When those attempts are unsuccessful, the result is *anomie*, a sense of hopelessness and alienation from traditional values and beliefs that can result in social problems such as addictions and suicide. A recent publication, *Suicide Among Aboriginal People in Canada*, notes that Durkheim’s theory “still provides a useful way to understand some of the harmful effects of social breakdown and disruption in Aboriginal communities that have come from colonization, forced assimilation, and relocation.”⁷ Reversing the effects of hundreds of years of social disruption and alienation will take time. Reconciliation for the collective is a long-term process. Thank the Creator we are in that process in many people’s lives.

COLLECTIVE RECONCILIATION

The road to addressing trauma and reconciliation did not just start with the current litigation.⁸ Our community had to first deal with the impact of the removal of ceremony—the community dysfunction that resulted from the removal of ceremony as well as the disruption of family support systems and loss of loved ones.

Most people who attended residential school focus on their experience of the abuse they suffered there; however, they usually only speak in private about the abuse and neglect they may have suffered within their own family or society. The years of alcoholism and violence experienced within families and communities from about the 1950s to the 1970s has not been addressed in the same public way as the residential school experience. Many people prefer to see these issues as being the result of colonization. That is a political world view. The therapeutic view is that regardless of where the abuse began, we

have to acknowledge that in some cases it continued within our own families. The drinking was a direct response to the state of hopelessness and loss of identity caused by genocidal policies. However, beginning in the early 1970s, our families and communities dealt with the rampant drinking and violence with the support of provincial and federal funding. The very governments that structured the legislation outlawing our ceremonies supported the development of community-based, community-designed treatment programs managed and staffed by Aboriginal people under the direction of Elders. These centres embodied the very elements that were previously outlawed as pagan. Many of the people attending these programs were not only treated for their alcoholism, they also learned about ceremony. They learned through teachings that held ideas, values, and principles basic to individual and community mental health. Treatment built the understanding necessary so we could restore our spirits and take responsibility for preparing the way for our grandchildren.

After three generations of involvement in treatment and recovery programs, our people started to return to post-secondary institutions, in part, to ensure our community professionals were from our communities. We were moving forward with our willingness to take responsibility to offset the genocidal acts on our spirit. The results are reflected in the number of Aboriginal people attending post-secondary institutions. Aboriginal enrolment in post-secondary institutions paralleled the huge increase in sobriety during those same years.⁹ The Alberta Alcohol and Drug Abuse Commission (AADAC) and the National Native Alcohol and Drug Abuse Program (NNADAP¹⁰) funded about one hundred treatment programs across Canada.¹¹ These programs were staffed and managed by Aboriginal people and ceremony was a centre post to treatment. We were on the move with passion!

Individuals and families continued in our process of healing and reconciliation. This became the foundation of the treatment centre movement, and it strengthened ceremony as a centre post to being at a place where trauma could more readily be put on the table. It was put on the table by social activists like Eric Shirt in treatment development and Charlene Belleau in community healing. There were other courageous people who came forward with criminal charges dealing with residential school abuse, and there were many others who worked to strengthen community. Charlene Belleau hosted the first National Residential School Conference with nine hundred people attending in 1990. I was part of a national television show about residential schools in the late 1980s. I was afraid there might be backlash because not only did we talk about the residential school experience, but also about community violence. There was no fallout from the show. Georges Erasmus was the first National Chief to have a motion passed by the Assembly of Chiefs requesting that the issue

There is no doubt that the effects of residential schools live on today. It is our responsibility as native people to rectify this. We have suffered from the negative things that were passed to us—abuse, anger, fear, shame, and hurt. But now we know what has caused this and as a community we need to harness our strength and the knowledge that comes from our teachings.

Melanie Ferris, 28
Anishinaabe
Mother, entrepreneur,
intergenerational Survivor
Toronto, Ontario

The process of reconciliation relies on the foundation laid by the person, the group, and the community to bring our spirits to a place of readiness to be *willing* to reconcile.

of residential schools be addressed. National Chief Fontaine broke the silence from leadership when he spoke about his own abuse in residential school. Our communities were ready to deal with historic trauma now that so many of our people had attended recovery programs and many more were pursuing post-secondary education.

The process of reconciliation relies on the foundation laid by the person, the group, and the community to bring our spirits to a place of readiness to be *willing* to reconcile. *Readiness of the wounded and timing are both critical to the success of reconciliation.* The healthier we are, the more we are willing to understand the other group's perspective. To say we understand does not mean we agree with the historic offender's world view of our relationship. It simply means that we understand where they come from. Based on the foundation laid by the addictions recovery movement, along with the strengthening of ceremony and the increased participation in education and therapy, we were ready to deal with trauma. The Aboriginal Healing Foundation's program evaluation clearly stated that the majority of former students accessed traditional ceremony holders and Elders in their treatment for trauma.¹² Some clients selected both traditional and Western therapy modes to deal with their trauma. An estimated total of 111,170 participants attended AHF-funded healing activities, and well over half of those participants accessed services to engage in healing for the very first time.¹³

The common experience payment provided for in the *Indian Residential Schools Settlement Agreement* (2006) is to acknowledge the trauma of residential schools, the policy of outlawing ceremony, the loss of language, and the impacts on students of being removed from their family. The term "common experience payment" covertly talks about the results of legislation to outlaw ceremony and the impact of removing generations of children from their parents. I am always amazed at how the English language can sanitize the most horrific experiences. Regardless of the words used, it is a just settlement. For some, the payment will be a form of reconciliation because it will be seen as a public acknowledgement that they cried themselves to sleep without their parents and suffered because of their removal from ceremony to heal themselves.

An alternative dispute resolution process (ADR) to resolve claims of injury was established in 2002. Deputy Minister Mario Dion of IRSRC had the choice of either following the usual government process of appointing a chief adjudicator from within the government's political circles or choosing to listen to the Aboriginal Working Caucus's recommendation; he chose to listen to the working caucus.¹⁴ The caucus recommended that the selection for the chief adjudicator and for all the adjudicators be made by all of the stakeholders, including Survivors, Church entities, plaintiffs' legal counsel, and

Canada. There was a traditional ceremony along with an Anglican blessing for the ADR process and the chief adjudicator. People from all the stakeholder groups participated in the blessing. Everyone either prayed or sang a song to celebrate the occasion along with holding the usual feast. This is a traditional process for choosing leaders. Within tradition, there is an agreement from the whole group as to who is the best person to do the job; it is not a process based on political patronage. One more step toward shared decision making. This is collaborative law and an act of reconciliation and sharing of power.

“For to be free is not merely to cast off one’s chains, but to live in a way that respects and enhances the freedom of others.”¹⁵

Nelson Mandela

The freedom that Nelson Mandela speaks about was manifested when government, the Assembly of First Nations, plaintiffs’ lawyers, and the churches worked together to deal with the legal response to residential schools. He could also have been speaking about the foundation we laid with the increase in post-secondary enrolment and the creation of community-driven alcohol and drug treatment. These are examples of how we brought our strengths together to take responsibility for individual and collective change.

The thirty years of work to prepare for this time of settlement has borne fruit, and there has been excellent work done in reconciliation over that time. This reconciliation embodies the traditional justice processes that have been incorporated into government policies and practices. For example, if a former student wants to have a traditional ceremony within their hearing, they are supported to have the Elder of their choice present to conduct ceremony. Elders are compensated for counselling and crisis support as any other professionals are compensated. This took five years to achieve; however, it was finally included within the structure of the hearings. One more step in reconciliation and the work required to reverse the outlawing of ceremonies.

FAMILY AND COMMUNITY CHOICES IN RECONCILIATION: A CASE EXAMPLE

An Elder received his compensation, paid off his bills, and invested the rest of his money into adding on to his home so his son and his family could live with him. The family shared in the cost of the renovations. The Elder is in a wheelchair and has many health challenges. He now has the benefit of having family with him to ensure he is safe if he faces a health crisis. He has a new investment in life with his grandchildren who show him love every day. Paying off his credit cards was a very big relief for the Elder and his wife because the old age pension is

their only income. They also accessed the treatment planning money for extra counselling and traditional healing ceremonies for their family.

The family is active in ceremony throughout the year. They have invested in restoring balance within the family. In their case, this was not a response to receiving money, it has been a twenty-year investment. The Elder had been an active drinker but he has been sober for about twenty-plus years. During his drinking years, he manifested many of the behaviours many drinkers follow. His parenting and his relationship with his spouse were challenging during this time. Since his recovery, he has been an active participant and ceremony holder. He has been involved with his family in dealing with his lifestyle choices during those drinking years. He has had many one-to-one times with his children about their unmet needs during those years.

He had held fasting ceremonies on his land, and in one four-year period, he hosted a group of priests and nuns who chose to fast with the Aboriginal people. This provided a place for dialogue in the days before the fast and an opportunity for the nuns and priests to deal with their pain of hearing the experiences from all the former students in their parishes. A place of understanding unfolded. All of the parties opened themselves to hearing the other group's perspectives and experiences. Each person faced their own pain and found a new connection toward building respect, acceptance, and shared relationship.

“Culture is the way I live today. I have a choice.”¹⁶

Elder Abe Burnstick

Now, his son carries on ceremonies for the community to come together to share in the process of rebuilding community through ceremony. This is one more step in Nelson Mandela's statement of “freedom” and its meaning in our lives. The Elder's son, two daughters, and his wife are all abstainers, not because they were ever alcoholics, but because they live a lifestyle that does not need that source of stimulation. They have ceremonies and their family to provide pure stimulation. The family has hosted local National Day of Healing and Reconciliation ceremonies held each year on May 26th.

At one time, there was a boycott of the local town by the reserve because of remarks made by a town councillor. Local businesses, school board trustees, and townspeople were invited to attend a reconciliation walk with about seven hundred First Nation people. They walked with the former residential school students and their families, listened to Survivors' speeches, visited the grave site of the students who died while in the school, and ended the walk with a feast to enjoy good company. Their action of inviting the town's business people and others resulted in the boycott changing to a place of choosing education as a way of resolving differences, along with building relationship based on mutual respect.

An adjudicator drove until two in the morning to get to the intensive care unit where the Elder was recovering after a critical health crisis to mediate an emergency ADR hearing to resolve his claim. The Elder indicated that the hearing was very sensitive to his medical condition. The very government that made the policy to outlaw his ceremonies now valued him enough to bring an adjudicator out across the border to conduct his hearing in a hospital room where medical people could help him because he had suffered a heart attack the day before. He said he experienced the adjudicator to be kind, gentle, compassionate, supportive, and sensitive to his fragile health. *Being treated with respect by the system that previously treated you unkindly is an act of reconciliation.*

Sometimes people apologize because they have to, and sometimes they do not apologize but their behaviour changes. That is an act of reconciliation in itself. As Elder Wolfleg said it, "Don't tell me! Show me!"

The Elder's daughter came to his hearing along with friends and a resolution health support worker. This provided the daughter with an opportunity to hear his pain and to better understand why he had acted the way he did for many years. However, he had a difficult emotional time for a few days after talking about what he had experienced. He has been able to return home because his family is there to take care of him. Even in his frail health he opens his home to government people so they might dialogue with him to build understanding about our shared history. Sometimes, building understanding takes us one more step toward manifesting reconciliation in our lives. It heals the soul murder¹⁷ that happened when he was called names, humiliated, and beaten until he lost his hearing in residential school. He says no matter what happens he will never forget what was done to him; however, he is peaceful when looking back to the healing and reconciliation that has happened within his family circle. Together they participate in ceremonies and they share a commitment to educating others about Aboriginal approaches to management, healing, and education processes.

At the last fasting ceremony, there was a local farmer who attended the berry ceremony as part of their "good neighbour practice," and a local doctor and his wife came to the berry ceremony to participate in the drumming, singing, and feasting. Those neighbours stand as witnesses to the richness of the practices that were outlawed and now stand restored. These neighbours stand in a place of mutual respect and now understand why those historic laws were so devastating to this family and how they have taken the responsibility to restore ritual, ceremony, belonging, and compassion in their hearts.

LONG-TERM COMMUNITY INVESTMENT IN WELLNESS: A CASE EXAMPLE

In another community, a woman took her compensation and paid off her car, helped her son with the cost of a couple of courses to upgrade his marks, paid off her credit cards, and invested the balance of the money into an RRSP. She has accessed years of therapy to assist her in dealing with the five-year criminal charges she laid against the person she had been abused by. She had a five-year civil court battle in order to reach a settlement on the abuse she suffered. Her family is involved in learning about and participating in ceremony and attends church with a focus of maintaining their addictions-free lifestyle. She is a former leader of her community and maintains her leadership through informal role modelling in lifestyle choices. She is a post-secondary graduate. She obtained her post-secondary education as the court processes were going on.

She participated in a community reconciliation ceremony with other Survivors of abuse suffered at the hands of a member of a religious order. It was a very difficult process because all the people did not accept the concept of community-based reconciliation ceremonies, and there were many bitter people there, including some of the victims of abuse. However, for some of the people, the ceremony was one more step toward healing. *Not everybody was in the same place in terms of forgiving.*

She has participated in community commemoration ceremonies that include Survivors who have settled their claims, family members, IRSRC staff who offered apologies on behalf of Canada, and representatives from the RCMP, the church entity, surrounding municipalities, local service agencies, and non-Aboriginal neighbours. They held a feast, a tobacco burning ceremony, and a grieving ceremony in memory of family members who died in the schools or passed on since being in the school. Daily sweat lodges were available during their hearings. They had a balloon ceremony where they released a balloon that had their residential school number on it, and they let the balloon with the number go into the wind to be carried away. They had all of this along with a community dance with former students who played in the residential school band entertaining. One man who was a big-looking cowboy with big shoulders, big belt buckle, and a big hat said to himself when he released his balloon, "If I never get a penny out of this it will have been worth it to go through this today!"

One gentleman, who had chosen not to return to the community after his school experience, lived in the inner city of Vancouver. They went to pick him up to come home for the ceremony. He had left a community that suffered

from huge amounts of addiction and came home to a community of people who were largely sober and moving forward and were welcoming. They had gone through a healing process of getting treatment for the majority of the people abusing alcohol and drugs, gambling, and dealing with trauma long before the residential school settlement was on the table. When the Elders came into the hall for their welcome home ceremony, their grandchildren were yelling, “Welcome home Grandma!” “Welcome home Grandpa!” “Welcome home Mom, Dad, and Uncle!” Tears were flowing down the faces of the former students and family members. *However, they understood that the commemoration ceremony was not necessarily closure for many people.* It was one more step in the process leading toward balance.

This community had a public inquiry on residential school. This was long before the ADR process was fully developed. The community funded and recorded its own “Public Inquiry” into residential school. It was set up to ensure that the old people’s experience would be recorded prior to their death. This was the only community that chose to host its own inquiry with a judge, a therapist/healer, and a respected leader in their region of Canada as their commissioners. Ceremony was an intricate part of the inquiry.

A community-based justice process was initiated to address the intergenerational impacts of community violence. Community-based violence had never been dealt with because people did not want community members to go to jail. A protocol was developed that had the support of the attorney general, the RCMP, and the community. They provided therapy for intergenerational sexual abuse after there was enough sobriety to deal with living relationships. Some of their community members were charged with sexual abuse, and the community supported them to get the therapy they needed. Community members took responsibility for community change. This process was underway long before residential school issues came to the forefront. Ceremony and treatment were integral to the process of community change. Activities expanded to include awareness of addiction to gambling. They clearly understood that the key treatment issue for gamblers is unresolved grief.

A number of victims and their extended families participated in a reconciliation process with a priest who had abused them. They attended a ceremony, which also dealt with all of the priest’s victims who had died. They did this through a tobacco ceremony, pipe ceremony, and a sweat lodge ceremony. The priest attended with his therapist and the former students’ therapists. The process was ceremony from beginning to end along with reconciliation words and actions. One of the Survivors used his compensation money to repair the church roof and to pay his bills off.

... they understood
that the
commemoration
ceremony was not
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many people.

This community pioneered and participated in the most focused research project on residential school impacts in Canada. They did this to take one more step toward taking responsibility. They brought the residential trauma program into their community for their Elders and also to facilitate family participation in the program. They started having annual fasting ceremonies which young people attend with their families. They hosted a sweat lodge every day during their ADR pilot project, and they had the rosary in the church every night for those people who still attended church. They continue to have an annual celebration of sobriety and wellness. They have annual fasting ceremonies which the elderly, children, and families participate in. This helps to strengthen relationships, and it helps with their learning about taking responsibility. They have an annual “Unity Ride,” which has the participation of community members, cowboys, non-Aboriginal neighbours, government staff, children, RCMP, and Survivors. This event lasts a couple of days. It is part of moving forward in healing from the residential school experience.

The lady, spoken of earlier, and her community have made excellent choices along the road to wellness. There is a growing understanding of what reconciliation is on a daily basis. This is a good example of a community working together to deal with residential school issues through personal, family, and community reconciliation and healing. The process has encompassed traditional ceremony, Western therapy, alcohol and drug treatment, trauma treatment, gambling treatment, and a lot of hard work collectively.

CHALLENGES AND OPPORTUNITIES FOR RECONCILIATION

There is reconciliation for historic acts that have affected our people, and there are the current day-to-day events that have historic beginnings. I work on interchange with Indian Residential Schools Resolution Canada as a Special Advisor to the Deputy Minister. I also provide advice on pending policy where I am asked to participate. My community is my advisor.

When the adjudicator selection process was initially being developed, there was a policy that said adjudicators had to have five-plus years experience in adjudicating. This did not sit well with me. I believed that policy set the bar to omit the majority of Aboriginal lawyers because few, if any, Aboriginal lawyers ever sit on adjudication boards, as these are often politically appointed positions. I was having a difficult discussion with another policy person about this requirement. My argument was that even judges do not have to have five years previous experience in being a judge before they are appointed.

Things became heated and I said to her, “You would have made a good Indian Agent in the 1950s!” On thinking about my cruel statement later, I realized how I had abused her as I and many of our people had been abused historically. In my traditional ceremony of the Potlatch, when we wrong people, we have to gift them, along with all of our clan members who have to gift them as well. It is intended to teach about respect, and it also teaches that abuse not only hurts the person but also the collective. I had affected her spirit so, at the next staff meeting, I brought a blanket to give to her and I asked her to forgive me for being so unkind with my words. Coming from a different culture, she thought it was not necessary for me to give her a gift since I had apologized. In fact, I had not apologized in the Western way of doing things, I had acknowledged that my words had affected her spirit. The gift was to acknowledge the spiritual effect of the unkindness. While I do not live within my region where Potlatches are held, I bring my potlatch with me and I work at ensuring that I acknowledge it when I am disrespectful of my co-workers. *You know, when you have to buy enough blankets and quilts, it brings to mind to keep yourself in a more respectful way and to treat others with the respect that you expect from them.*

Large systems do not encourage people to take responsibility. When the upset takes place within a large forum, most often, if people apologize, they do it in a small corner where no one else can hear them. Taking responsibility within ceremony has taught me to embrace the teachings of those important ceremonies that were outlawed by Canada at one time. It has also taught me that I need to teach my grandchildren with my words.

Often in the Western Christian world when people make a poor choice that affects other people, they refer to it as sin. In our community, the old people refer to it as “Mistake.” Mistake is less laden with guilt and more conducive to owning responsibility for one’s actions. This attitudinal choice of “Mistake” is more of a traditional thought than the Western world view where blame and sin comes from.

I was at a meeting with a residential school Survivors’ group when a person from a political group started to attack me and my co-worker. We were all Aboriginal. He indicated that the only Aboriginal people who worked at IRSRC were apple Indians who sold out our people. He did this with hatred in his eyes, with a loud tone to his voice, and with his finger pointing up and down to emphasize his anger. His words burned into my spirit until my spirit bled with tears that did not show themselves in my eyes. I replied that I had worked on the residential school issue since 1985 when I was trying to get Health Canada to understand why there needed to be more resources to deal with residential school trauma. I had worked on the St. George’s trial supporting the victims

*Forgiveness is a personal journey
but we must also consider
how to move forward to social
reconciliation.*

Carrielynn Lund
AHF Treasurer
Métis
Edmonton, Alberta

behind the criminal charges being brought against the staff member who was convicted for sexual abuse. I had worked with the Survivors of the O'Connor action. I helped to facilitate the first national residential school conference in 1991. I had a stroke after having a blowout with a Justice lawyer about having a mediator in to resolve a group settlement that was going off the rails. I had virtually almost given up my life for my commitment to this work. I was very hurt by his words.

Sometimes, time is what is needed to dissolve pain. There had been no change in behaviour from the person who hurt me. Reconciliation can happen if we just have time to let the pain pass. I invited him to my house recently, along with other friends, to feast after a meeting in our city. There were no words of "I forgive you." The action of inviting him to my home was my act of reconciliation. Within that reconciliation, within my heart, there is no expectation from him that he is willing to change how he treats people or that he is even aware of his behaviour. I met him at a community function in our work, and he came up to me and gave me a hug with warmth. He was saying *I am sorry for what happened*. Words were not spoken and reconciliation happened.

Reconciliation as it relates to residential schools does not only rest in the era of when the schools were open. Acts of lateral violence between people working in this field happen. It is a part of the legacy we can either hang onto to excuse our behaviour or we can take responsibility to make other decisions in how we deal with these acts of spiritual abuse. The current day acts of lateral violence that relate to work we do within the field are not separate and apart from our history, they are a manifestation of our history. As Elder Burnstick says, "It is up to you!" It is what you do with current choices of our treatment of each other.

The National Day of Healing and Reconciliation (NDHR) is intended to assist us in focusing our attention on being reflective of when we are unkind to other people and in looking at ways to build understanding when we come from a place of not agreeing. There are ceremonies across Canada in which Aboriginal and non-Aboriginal community leaders promote NDHR on May 26th of each year. The intent is not to create reconciliation activities for only that day, it is to show that every day is an opportunity to take inventory of what we did that day and to make moves to reconcile. Further, the intent is to strengthen education about our residential school history within Canada by engaging our schools, churches, and communities to build bridges. A good example of this is the berry ceremony referred to earlier where the local medical doctor attended in order to gain a better understanding of the meaning when we talk of ceremony. NDHR's goal is to strengthen understanding and

reconciliation. Reconciliation is not only an Aboriginal people's issue, it is a Canadian issue! Elder Burnstick placed the responsibility for change where it belongs. When we all take responsibility for choices in reconciliation, we show that we understand him when he says, "It is up to you!"

FUTURE CHALLENGES IN RECONCILIATION

Our future challenge in reconciliation is the great opportunity to host our National Truth and Reconciliation Commission. Each community can decide if the process will be traditionally rooted and decide on the place where we want to host regional events. Will we choose to have them on the land? Will we choose to have them in big city conference centres? Will we bring pictures that hold our memories of residential schools? Will we collaborate with the people in our region to ensure we are not fighting about which communities will host the hearings? Will we invite local college and university classes to come to hear the testimony of our former students? Will we invite our local churches to work with us on the planning of the commission hearings? This is a huge opportunity to become "FREE" to choose the possibilities of how the Truth and Reconciliation Commission will happen. What will we do with the information given at the Truth Commission? Will we take the information to our classrooms and our broader Canadian circles to open the opportunity for a broader dialogue of "Where do we go from here together?" "IT IS UP TO YOU!"

NOTES

¹ Leslie, J. and R. Maguire (ed.) (1978:115). *The Historical Development of the Indian Act*, second edition. Ottawa, ON: Treaties and Historical Research Centre, Indian Affairs and Northern Development.

² Amendments to the *Indian Act* in 1884 prohibited the Potlatch and the Tamanawas dance (see Royal Commission on Aboriginal Peoples (1996), Volume 1: Looking Forward Looking Back, Section 2, chapter 9.5).

³ IRSRC (Indian Residential Schools Resolution Canada).

⁴ FSIN (Federation of Saskatchewan Indian Nations).

⁵ Tom Badger spoke these words at a training session for front line workers in 1981 at Nechi Institute. The Elder has since passed on, but is remembered through his oral teachings.

⁶ Durkheim, E. (1951). *Suicide: A Study in Sociology* (J.A. Spaulding and G. Simpson, trans.). New York, NY: The Free Press. (Original work published 1897.)

⁷ Kirmayer, Laurence J., Gregory M. Brass, Tara Holton, Ken Paul, Cori Simpson, and Caroline Tait (2007:55). *Suicide Among Aboriginal People in Canada*. Ottawa: Aboriginal Healing Foundation. (Text cites Davenport, J.A. and J Davenport III (1987). *Native American Suicide: A Durkheimian Analysis*. *Social Casework* 68(9):533–539.)

⁸ This began in the early nineties by courageous former students and later moved into the class-action suit that has been agreed to by the courts with the four pillars of commemoration, common experience payment, truth and reconciliation commission, and the independent assessment process.

⁹ The exact number of Aboriginal people enrolled in post-secondary institutions over the years is difficult to pin down. The Centre for Social Justice (<http://www.socialjustice.org/index.php?page=aboriginal-issues>) reports, “In 1969, only 800 Aboriginal peoples had a post-secondary education. By 1991, the number was 150,000.” The Department of Indian Affairs reported the following: “In the mid-1960s, there were about 200 Status Indian students enrolled at Canadian colleges and universities. By 1999, the number had soared to more than 27,000” (“Post-Secondary Education for Status Indians and Inuit, December 2000, retrieved 1 November 2007 from http://www.ainc-inac.gc.ca/pr/info/info110_e.html). Factors contributing to this discrepancy likely include whether or not numbers refer to Aboriginal people or “status” Indians and whether or not part-time enrolment numbers are also included.

¹⁰ The original National Native Alcohol Abuse Program (NNAAP) began in 1975 as a pilot project and was run as a joint initiative between the departments of Indian Affairs and Northern Development and Health and Welfare Canada (http://www.hc-sc.gc.ca/fnih-spni/pubs/ads/1998_rpt-nnadap-pnlaada/2_background-reneign_base_e.html#_2_3). “The renamed and fully conceptualized, permanent National Native Alcohol and Drug Abuse Program (NNADAP) was established in fiscal year 1982/83. Health Canada assumed full responsibility for the program” (http://www.nnapf.org/english/partners/nnadap/historical_milestones.php). First Nations and Inuit Health Branch reports the following information: “NNADAP supports a national network of 52 residential treatment centres, with some 700 treatment beds” and “Today, NNADAP provides over 550 prevention programs with over 700 workers - almost all employed by First Nations and Inuit communities” (http://www.hc-sc.gc.ca/fnih-spni/substan/ads/nnadap-pnlaada_e.html).

¹¹ I recall that there were sixty treatment programs funded by NNADAP, fifteen AADAC treatment programs funded with bricks and mortar during those years, and mobile community-based treatment programs operating during that time.

¹² Kishk Anaquot Health Research (2006:81). *Final Report of the Aboriginal*

Healing Foundation, Volume II, Measuring Progress: Program Evaluation. "When considering the types of services used and their perceived efficacy, Elders, ceremony, one-on-one counselling, healing or talking circles, traditional medicine, opportunities to gather, share and bond with other Survivors and their families, as well as Legacy education and land-based activities were considered most effective."

¹³ Kishk Anaquot Health Research (2006).

¹⁴ The Aboriginal Working Caucus was a group of former residential school students, therapists, and Elders who were appointed by the Deputy Minister as advisors to his office on policy changes needed within IRSRC. Further, they followed the direction from the 1999 Exploratory Dialogues that was made up of five hundred former students, church entities, government lawyers, and family members of former students who set out the original principles that became the road map for the *Settlement Agreement*.

¹⁵ Electronic excerpt from Nelson Mandela (1994). *Long Walk to Freedom: The Autobiography of Nelson Mandela*. Boston, MA: Little Brown and Co. Retrieved 15 November 2007 from: <http://archives.obs-us.com/obs/english/books/Mandela/last.html>

¹⁶ Retrieved from: http://www.ayn.ca/quit/en/manual_pdfs/tobacco_manual72

¹⁷ "Soul murder" can be described as the trauma inflicted on children by adults willfully abusing and neglecting them.



An Indian school near Woodstock, New Brunswick, date unknown

Photographer: William James Topley

Library and Archives Canada, PA-010657

(This photo can also be found, along with many other resources, at www.wherearethekids.ca)

MARLENE BRANT CASTELLANO

Marlene Brant Castellano is a Mohawk of the Bay of Quinte Band in Ontario. She has carried diverse responsibilities as a social worker in child and family services, a full-time wife and mother launching four sons into the world, Professor and Chair of Native Studies at Trent University, and Co-Director of Research for the Royal Commission on Aboriginal Peoples. She was a member of the founding Board of the Native Mental Health Association of Canada and continues as an honorary lifetime member.

Marlene's teaching, research, and publications are deliberately bicultural, promoting discourse between the worlds of Aboriginal knowledge and experience and the language and protocols of academics and policy-makers. In recent years, her writing has focused on respectful treatment of Aboriginal knowledge in research. She was researcher and writer for the *Final Report of the Aboriginal Healing Foundation, Volume 1: A Healing Journey: Reclaiming Wellness* (2006) and serves as co-editor for this publication.

Marlene is a Professor Emerita of Trent University and has been honoured with LL.D. degrees from Queen's, St. Thomas, and Carleton universities, a National Aboriginal Achievement Award, and appointment to the Order of Ontario. In 2005, she was named an Officer of the Order of Canada.

In her article, Marlene draws on the Aboriginal Healing Foundation's accumulated knowledge of the healing journey to present a holistic approach to reconciliation involving body, mind, feelings, and spirit. She proposes that the process of restoring balance at the societal level—acknowledgement, redress, healing, and reconciliation—follows a path similar to that of individual and community healing. She explores transformative links between stages, suggesting that “forgiveness is the key to making the transition from healing, which has elements of need and striving, to reconciliation that affirms trust that former antagonists can enter into relationship.”

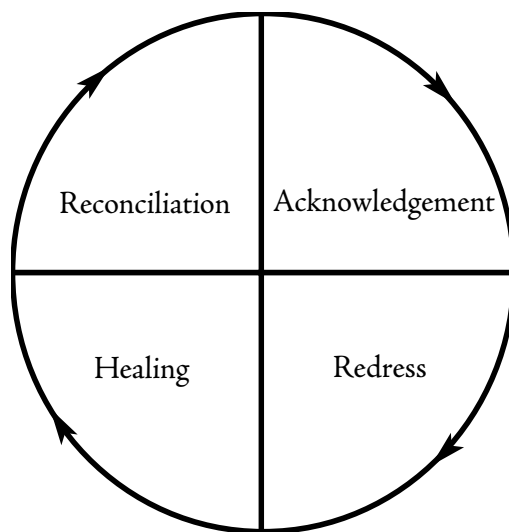
The articulation of this approach makes a significant contribution to the reconciliation dialogue; however, the author acknowledges that without the engagement of all sectors of Canadian society the prospects for progress are dimmed. She concludes by pointing to the challenge facing the Truth and Reconciliation Commission, “to engage a broad spectrum of Aboriginal and non-Aboriginal people in Canada to walk together through shared experiences of acknowledgement, redress, and healing to the threshold of reconciliation.”

A HOLISTIC APPROACH TO RECONCILIATION: INSIGHTS FROM RESEARCH OF THE ABORIGINAL HEALING FOUNDATION

FROM HEALING TO RECONCILIATION

The Aboriginal Healing Foundation (AHF), looking to the future in the final report of its first mandate, identified healing as one component of a continuum leading to reconciliation between Aboriginal peoples and Canadian society.¹ Drawing on the Law Commission of Canada report *Restoring Dignity: Responding to Child Abuse in Canadian Institutions*,² the AHF framed the components of residential school resolution in the quartered circle of a medicine wheel, a figure widely used in First Nations teaching circles.

FIGURE 1:
COMPONENTS OF RESIDENTIAL SCHOOL RESOLUTION



The steps proposed for resolution were: *acknowledgement*, naming the harmful acts and admitting that they were wrong; *redress*, taking action to compensate for harms inflicted; *healing*, restoring physical, mental, social/emotional, and spiritual balance in individuals, families, communities, and nations; and *reconciliation*, accepting one another following injurious acts or periods of conflict and developing mutual trust. Reconciliation involves perpetrators asking for and victims offering forgiveness, as they acknowledge and accept the past and recognize the humanity of one another. When violations involve

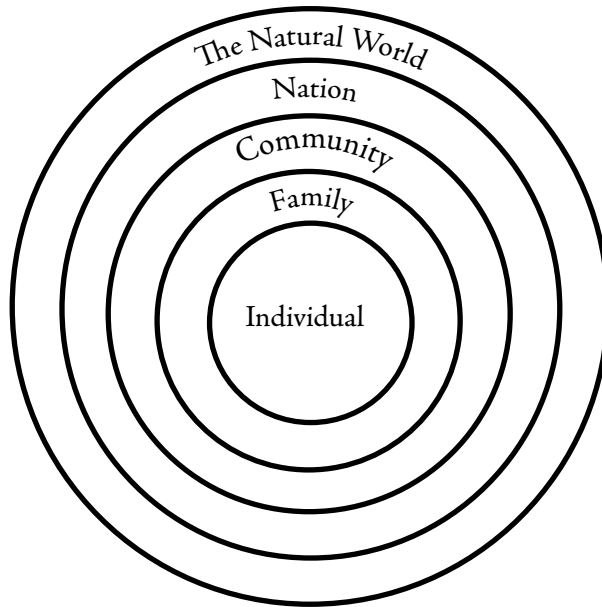
segments of the same society who are destined to go on living together, the goal of reconciliation raises the large issue of relationship between peoples and the establishment or re-establishment of dignity and mutual respect.³

The stages en route to reconciliation have been studied following political conflicts involving massive violations of human rights and in diversion projects with individual offenders and their victims. Peacemaking or restorative justice initiatives, from which we draw the definitions of reconciliation and the methods to achieve it, begin with a recognition that harm has been done, that some fundamental value of society has been violated that demands a corrective response.

Reconciliation in the context of Indian residential schools presents some unique challenges. Consensus that residential school experience was injurious in itself, and not just in instances of physical and sexual abuse, is shared by only a small proportion of Canadian citizens, in contrast to the view of most First Nations, Inuit, and Métis people. Multiple violations of the human dignity of Aboriginal peoples over generations and their relative powerlessness in the face of public institutions have created distrust that public dialogue can bring about change. Past experience in peacemaking and restorative justice provides tools for bringing parties together to engage in dialogue, but the chemistry that transforms encounter into mutual, hopeful engagement remains mysterious.

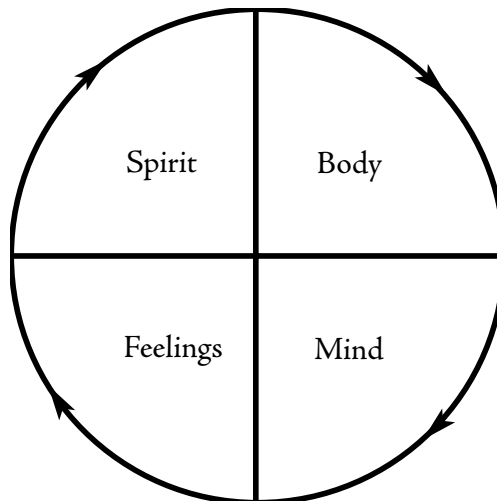
A central teaching of First Nation Elders is that *everything is related*. This wisdom is sometimes represented visually by locating individuals at the centre of a set of concentric circles that ripple outward to include family, community, nation, and the natural world.

FIGURE 2:
EVERYTHING IS RELATED



The notion is not that human beings are at the centre of the universe but that our lives are nested in complex relationships. Our words, actions, and even our thoughts have wide-reaching, timeless impacts that cannot be discerned by our physical senses. Conversely, our lives are impacted by forces and events in the larger world, whose origins and intentions are often beyond our knowledge or understanding. To navigate successfully in such a complex environment requires more than physical, emotional, and intellectual competence. Achieving good life, long life, called *pimatziwin* in Anishinaabe tradition, requires spiritual awareness as well. Thus, another central teaching is that life must be lived holistically—balancing body, mind, feelings, and spirit.

FIGURE 3:
HOLISTIC BALANCE



This paper takes a cue from teachings that all of life is related and that principles for achieving a holistic balance are transferable from one domain to another. We turn to research and analysis conducted by the Aboriginal Healing Foundation to explore how insights into the processes of healing from residential school trauma can guide efforts to promote the openness and trust required for reconciliation. We look for ways of moving around the medicine wheel, from healing to reconciliation.

FINAL REPORT OF THE ABORIGINAL HEALING FOUNDATION

The Aboriginal Healing Foundation (AHF) was created in 1998 to administer a one-time healing grant of \$350 million from the federal government to support community initiatives to heal the legacy of physical and sexual abuse in residential schools, including intergenerational impacts. An additional allocation of \$40 million was made by the federal government in 2005 and, under the terms of the *Indian Residential Schools Settlement Agreement* implemented in September 2007, the AHF mandate will be renewed with a further grant of \$125 million over five years.

In January 2006, the AHF released the *Final Report of the Aboriginal Healing Foundation* on its first mandate, 1998–2005, reporting on administration of the healing fund and impacts of projects. Data for the *Final Report* were collected through a review of project files, three national mail-out surveys (2000, 2002, 2004), telephone interviews with AHF Board members and personnel, five

Reconciliation is also a personal issue. It is a gift of spirit based on whole health and balance.

Dan George
AHF Board member
Wet'suwet'en
Prince George, British Columbia

national focus groups, thirteen in-depth case studies, and 1,479 individual participant questionnaires that captured information about individuals' experiences in the therapeutic healing process. Twenty-seven research studies were commissioned and a questionnaire on promising healing practices was distributed to 439 projects in October 2002, yielding 103 detailed responses.

Community initiative was the guiding force in establishing the program of the AHF, in refining its administrative approaches, and in shaping projects at local and regional levels. The AHF did not prescribe the nature of healing activities that could be funded. The basic criterion for approval was that the proposal had to relate to physical or sexual abuse in residential schools or intergenerational impacts of such treatment. Beyond that, projects were required to demonstrate community support and reasonable prospects of achieving their goals through a project work plan and appropriate personnel. Calls for proposals generated 4,612 submissions, resulting in 1,346 contribution agreements with 725 distinct organizations and communities.

Projects set a priority on involving Survivors and employing Aboriginal persons, with the result that ninety-one per cent of project staff were Aboriginal and, of these, thirty-two per cent were Survivors. Staff effort was supplemented by volunteers who were contributing an estimated thirteen thousand service hours per month in 2001. The array of problems confronting Aboriginal communities in health, education, and economic development are often perceived to be beyond the reach of ordinary community members to solve. Many of them seem to lie in the domain of professionals such as teachers, nurses, and managers. The high level of community engagement in AHF-funded projects demonstrates that healing the legacy of residential schools is an enterprise that Aboriginal community members care about intensely and about which they believe they can do something.

The AHF Board initially wished to gather data on social indicators, such as rates of physical and sexual abuse, children in care, incarceration, and suicide to track changes brought about by funded interventions. It quickly became evident that this would not be possible in the limited lifetime of AHF-funded projects. Regional and provincial data in the public domain are not sufficiently sensitive to reflect changes in small populations, and it typically takes several years for local changes to be reflected statistically. Further, communities defined healing needs and initiatives in widely diverse ways, starting their healing journey from different places, with different levels of resources and planning expertise.

The evaluation approach adopted was to look for evidence of individual progress along a healing continuum and increased capacity of communities to facilitate

that progress. Research results reveal the multiple layers of trauma laid down in the lives of Aboriginal peoples over generations and the path traversed by individuals and communities in recovering capacity for a good life.

HISTORIC TRAUMA

The healing needs uncovered in the course of funded projects and analyzed in AHF research make it clear that one-on-one therapies delivered by mental health professionals are by themselves inadequate to respond to the pervasiveness and depth of trauma that reverberates through many communities. Aboriginal communities have suffered repeated shocks from epidemics, territorial displacement, and loss of control over their lives. Loss of children to residential schools laid down another layer of trauma and its distorting effects. When children returned from residential school lacking language and relationships and practical skills to reintegrate into the community, the capacity of extended families to support recovery from abusive and demeaning experiences was compromised by their own grief over multiple losses.

An emerging theory of complex post-traumatic stress disorder (PTSD)⁴ has made a useful contribution to understanding effects on individuals of prolonged victimization such as what occurred in residential schools. Indigenous counsellors and researchers in the United States and Canada have proposed a theory of *historic trauma*⁵ to describe the consequences of multiple stressors experienced by whole communities over generations. Images of traumatic events and adaptive or maladaptive responses become imbedded in shared memories of the community and are passed on to successive generations by storytelling, community interaction and communication, patterns of parenting, emotionally laden memories, and inherited predisposition to PTSD. Even if events are not fully remembered, behavioural patterns rooted in collective memory persist in community life, becoming the backdrop for interpreting and responding to current reality.

It is important to note that not all persons who experience trauma suffer disabling effects. Interwoven with collective memories of painful events are shared stories of resistance and survival that demonstrate resilience, the human capacity to achieve a good life outcome in the face of adversity. Reports from community projects funded by the AHF, along with complementary research and analysis, illuminate healing approaches that facilitate release from past trauma and reactivate resilience that has been overwhelmed.

INDIVIDUAL HEALING

The course of individual healing documented in project reports was seen to progress through four stages, although personal growth does not unfold in a set pattern. Individuals gain insights or establish relationships that generate dramatic change, or they suffer new trauma or setbacks that cause them to retreat to earlier stages of the cycle. The stages of individual healing are represented in Figure 4.

FIGURE 4:
STAGES OF INDIVIDUAL HEALING



Individuals who have suffered trauma in childhood vary in their ability to integrate their experiences into the narrative of their lives. Reports from project participants confirmed that healing from painful or suppressed memories begins with awareness of barriers to a satisfying life and beginning recognition of the sources. Awareness can develop gradually or be precipitated by a crisis such as a health problem, breakdown of a marriage, or being charged with an offence. Projects typically found that Legacy education about the history and impacts of residential schools and group events that centred on cultural activities supported readiness to engage in therapeutic activities and relationships. In the beginning stage of healing, Survivors need to feel safe. Establishing *cultural safety*, affirming identities that had been forcibly suppressed, was an important feature of most projects.

Survivors' movement to the second stage of remembrance and mourning what had been lost was supported by sharing their stories in talking circles

It was not unusual for volunteers or members of teams to develop deeper awareness of their own needs, take time out to work on their own healing issues, and subsequently return to the role of helpers.

that fostered relationships and mentoring by Elders. Safety and remembrance paved the way for the third phase, which was often a lengthy period of reconnecting in new or renewed relationships and reclaiming a healthy way of life. The reconnection phase takes time and discipline as well as support and guidance from family and community to establish stability. As personal healing progresses, many Survivors feel motivated to share their emerging vitality with family, friends, and community. The desire and capacity to give something back to the community signals the recovery of resilience and the fourth phase of healing. Some exceptional individuals are asserting that finding the capacity to forgive the perpetrators of abuse is the final liberating stage of personal healing.

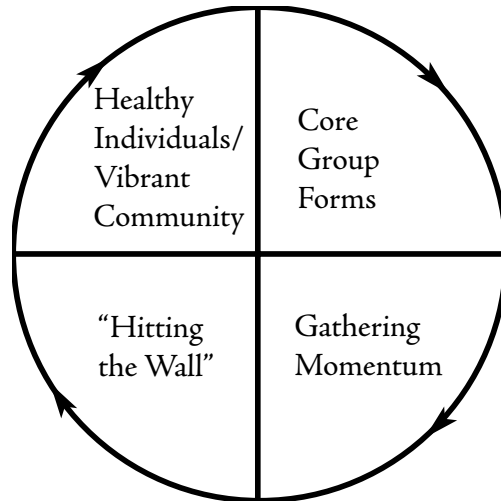
The most frequently used interventions in projects were healing/talking circles, Legacy education, workshops, and ceremonies. The activities considered most effective were mentoring by Elders, ceremonies, one-on-one counselling, and healing/talking circles. The promising practices survey indicated that Western therapeutic approaches were employed in fifty-eight per cent of projects, almost always in conjunction with cultural interventions and/or Legacy education. Effectiveness of projects in responding to unmet needs is indicated by evidence from individual questionnaires that two-thirds of participants had not previously participated in healing activities.

The majority of community projects engaged Survivors and those who had been impacted by residential schools as members of the healing team. Survivors who were fluent in their native language, who had a strong sense of cultural identity, and were able to model balance in their own lives were among the most highly valued healers/helpers. It was not unusual for volunteers or members of teams to develop deeper awareness of their own needs, take time out to work on their own healing issues, and subsequently return to the role of helpers. Team support for their members to recognize and work within the limits of their renewed resilience was a feature of effective projects.

COMMUNITY HEALING

The course of community healing revealed in the research was similarly seen to progress through four stages as represented in Figure 5 although they are not in rigid sequence.

FIGURE 5:
STAGES OF COMMUNITY HEALING



Stage one is characterized by a prevailing sense of crisis or paralysis. The majority of the people are locked in destructive behaviours, and there may be an unspoken acceptance by the community that this state is somehow normal. The possibility of a better tomorrow is sparked by a core group that is engaged in personal healing, forming support networks, and seeking help for problems such as addiction. There is a beginning awareness of the legacy of residential schools, increased disclosure of physical and sexual abuse, past and present.

The second stage sees the healing movement gathering momentum. More people are participating in healing activities and volunteering their assistance. There is a growing sense of hope and determination to overcome obstacles of scarce resources and services, lack of trained staff, and continuing denial in the community. People reach out to involve friends and Elders, and the numbers of children at risk are perceived as falling. Referrals from mainstream services to community-based healing initiatives escalate, and healing teams may be inundated with requests to share promising practices.

Stage three, described in the report of an extensive consultation⁶ and validated in project reports, is called “hitting the wall.” Visible progress has been made and change is being consolidated in many quarters, but momentum is beginning to stall. Hope and excitement evident in the second stage have dulled, and frontline workers are beginning to burn out. While more adults are pursuing healthy lifestyles, more participants are approaching projects for help with violence, life-threatening addictions, and suicidal tendencies. Previously

undisclosed abuses such as gambling, prescription drug use, or youth crime may be revealed in the community. This is the stage at which community healing often falters because of limited economic and institutional infrastructure in small, rural communities or urban neighbourhoods. Some observers note that resistance to the uncertainties generated by social change is often strongest just before significant shifts occur. Sustained, systematic response is required to maintain momentum.

Achieving the transition to stage four, where healthy individuals are functioning in a vibrant community, is possible when community healing initiatives are integrated with other dimensions of community development including education, employment, and economic opportunity. As the AHF funding period was winding down in 2004, only eleven per cent of projects had secured funding to continue operating; seventy-six per cent planned to prepare proposals for funding from other sources; and twelve per cent anticipated closing down their activities. More than half of the projects (55%) planned to maintain self-help and volunteer efforts.

Healing the legacy of residential schooling, whether at the individual or community level, is not a linear process. The stages identified above are only approximate models of complex real-life events. Survivors progress and then circle back on earlier stages when confronted with recurrent challenges. Community change was described as “like ripples unfolding in a pool, where each new circle contains the previous ones.”⁷

IMPLICATIONS FOR RECONCILIATION

While it would be incorrect to assume equivalence in the processes of restoring balance in individuals, communities, and in society at large, similarities are evident when we compare the stages identified at each level, as represented in Figure 6.

FIGURE 6:
PROCESSES IN RESTORING BALANCE

	Individual	Community	Society
1	Awareness/Safety	Core Group Forms	Acknowledgement
2	Remembrance/ Mourning	Gathering Momentum	Redress
3	Reconnection/ Reclamation	“Hitting the Wall”	Healing
4	Giving Back	Healthy Individuals/ Vibrant Community	Reconciliation

At stage one, individuals become aware of the possibility of change in a climate of personal and cultural safety. Communities as collectives begin striving toward wellness as motivated members connect with one another, share their goals, and multiply their impact on their environment. At the societal level, apology delivered by public figures reduces the threat of repeated injury and lessens the distance between injured parties and perpetrators of harm. Words are important as symbols to acknowledge harms inflicted, but they are hollow if the consequences of the harms are left untouched or if a ceremonial apology is not mirrored in the daily interactions between victims and perpetrators.

Participants in class-action lawsuits made it clear that assaults on cultural continuity injured *peoples* and not just individuals. Reconciliation, in the first instance, is undertaken between Survivors and the governments, churches, and society that permitted violations of life and dignity. The broader, intergenerational effects must also be addressed. Movement toward reconciliation therefore requires that awareness and acknowledgement be experienced at a thousand points of encounter between Aboriginal and non-Aboriginal people, so that the need for change and the promise of a new relationship ripples through networks of families, communities, and nations.

The second stage of individual healing involves remembering and mourning what has been lost, typically in an environment that provides protection from overwhelming emotions. It seems like a contradiction: experiencing pain that has been dulled by forgetting is often a necessary step to finding within oneself the spark of life that wills a better future. This is the repeated testimony heard

Reconciliation is a spiritual process. As part of the family of Mother Earth, we need to all come together in a good relationship.

Marlyn Cook
AHF Board member
Akwesasne Department
of Health
Williamstown, Ontario

not only in AHF projects but also by therapists involved in the treatment of post-traumatic stress. In stage two, at a community level, healing initiatives open the extent of distress to public awareness and, importantly, mobilize community response to cries for help.

At a societal level, redress in the form of restitution or compensation is the active follow-up to awareness and acknowledgement. Survivors often speak of their residential school years as “stolen childhood” that cannot be restored by a monetary payment. The denials of injury, the cautious limitations of public apology, the lengthy and bitter struggles around liability for compensation have constituted serious impediments to reconciliation around residential schooling. The *Settlement Agreement* now in effect has been welcomed as bringing a conclusion to years of litigation and the anger and distrust that accompanied them. The focus of discourse in the media has been overwhelmingly on the cost of redress to financially hard-pressed churches and to taxpayers and not the cost of abuse to successive generations of First Nations, Inuit, and Métis children. If the \$1.9 billion payout to some seventy-five thousand or more Survivors is perceived by Canadian society as a costly final solution, if the continuing legacy of colonial relations remains untouched, then reconciliation will remain unfinished business.

Perhaps redress is too much entangled in the minds of the public with monetary compensation to permit a dialogue on what would serve to restore balance from the perspective of Aboriginal people. Or perhaps monetary redress is bringing us closer to reconciliation as it becomes an instrument of healing. Reports in Aboriginal media and Maggie Hodgson’s paper in this publication highlight how Survivors are using compensation payments to improve their houses, pay off debts, and assist their children. Common experience payments, now being delivered to elderly and fragile Survivors and those whose claims are readily validated, offer evidence of the intention of the federal government to move toward reconciliation. Healing funds established by the churches and the work of the Aboriginal Healing Foundation over the past decade have supported individuals in reclaiming connection to a healthy life and communities in mobilizing a response to the needs of their members.

However, reports that describe “hitting the wall” in stage three of community healing are disturbing. This is the stage where the personal effort of a few motivated individuals reaches its limit and the core group reaches out for institutional support. Community-led initiatives to restore balance and vitality to collective life operate on the margins of public programs put in place to support health, education, employment especially for youth, and safety. The AHF Final Report (2006), like the Report of the Royal Commission on

Aboriginal Peoples (1996),⁸ is one of a series of reports that have argued that acknowledging and supporting self-determined community initiative is the most promising approach to resolve massive problems of marginalization and dislocation.

The kind of healing that leads to reconciliation between peoples is not solely an Aboriginal need and concern. Canadians and the institutions that represent them in dealings with Aboriginal peoples also need healing from the false assumptions and blind spots that led to the imposition of the residential school system and today perpetuate powerlessness, dependency, and lack of trust.

Now we come to the crux of the reconciliation process: the transition from healing to reconciliation. If individuals, communities, and the sectors of society in need of reconciliation have had an opportunity to engage in acknowledgement, redress, and healing, can we assume that reconciliation will follow spontaneously? My reading of the evidence leads me to believe that the transition from stage three to stage four of both individual and community healing is qualitatively different from the transitions that precede it.

Individuals who have been struggling to repair connections with other persons and their own resilient spirit, at a certain point, declare "*I am alive and can do something with this life!*" They want to give something back. Their sense of well-being may be fragile and brief, but the experience becomes a milestone for them, and they look back on it as their start on the road to a good life. Community change is more diffuse and less likely to be associated with a specific turning point. Still, those communities that have achieved a degree of cohesion in their efforts to take care of their members, such as Alkali Lake in British Columbia or Hollow Water in Manitoba⁹, look back on times of great hardship when extraordinary leaders, both formal and informal, stepped forward to animate and inspire the people.

Aboriginal people often speak of these transformations as a spiritual awakening, becoming aware of a profound connection with the earth and all our relations, seen and unseen, who inhabit this plane of existence. Some Survivors speak of making peace with themselves. Community development workers use the language of empowerment, the discovery by people living in oppressive circumstances of their own inner strength and the effectiveness of collective action. One way of describing the process is recovering *agency*, the capacity to act and cause things to happen.

The *Final Report* of the AHF provides some indicators of what facilitates recovery of connection and agency in individuals and communities. For

If individuals, communities, and the sectors of society in need of reconciliation have had an opportunity to engage in acknowledgement, redress, and healing, can we assume that reconciliation will follow spontaneously?

I am hoping the Truth and Reconciliation Commission will look at reconciliation from a spiritual perspective, a language all can speak to, even government ... There is a lot of hope and optimism that if the TRC is done well, it will become a model for the world—a model of spiritual healing.

Gina Wilson
AHF Board member
Algonquin
Ottawa, Ontario

residential school Survivors who were forcibly divested of their language, recovering their language was a profoundly healing experience. For Inuit, going out on the land and engaging in traditional survival and harvesting activities was often key to healing. In Métis projects, people researched their history and found that making contact with their relations was transforming. Women who had been isolated and sometimes abused sat in a quilting circle and shared stories that opened up new awareness of themselves, their past, and their common experiences. Fathers came reluctantly to parenting workshops and discovered how awesome it can be to look at the world through the eyes of a child. Sharing circles and healing circles facilitated by Elders and residential school Survivors created bonds of trust and mutual care. Sometimes, for some people, healing is mediated in a mystical experience that takes place in a ceremonial setting, but it happens also in many ordinary ways.

Looking for common threads in the healing that people often referred to as “spiritual,” it seems that they were talking in different ways of making a connection to something greater than themselves and their individual griefs. The experience that “*I am a part of it*” was triggered in multiple ways, connecting with the natural world, the stream of history, family and community, or in some cases, with a spiritual Being who is friendly.

Aboriginal individuals and communities have suffered varying degrees of trauma in the residential school experience and other encounters with the institutions of Canadian society. They are at different stages in their recovery of agency and balance and their readiness to engage in reconciliation. Some Aboriginal people are gripped by memories of past trauma; others are apprehensive that if they let down their guard they will be victimized anew. Can the proponents of reconciliation assure these reluctant parties that the universe is indeed friendly? That it is safe to forgive and reach out a hand of friendship? That friendship will even be welcomed?

I would suggest that forgiveness is the key to making the transition from healing, which has elements of need and striving, to reconciliation that affirms trust that former antagonists can enter into relationship. The relationship may not be seen as immediately beneficial, but at least it is not threatening. For parties who have inflicted injury, asking forgiveness requires them to relinquish control of the transaction and the outcome. For parties who have suffered injury, taking the step to reconcile reasserts *agency*, the capacity to act, and potentially make a difference in spite of uncertainty and risk. Forgiveness releases the perpetrators of injury from the burden of guilt and shame. It also signals the release of the forgiver from anger and resentment rooted in fear and vulnerability.

I underlined earlier in this paper that reconciliation is a mutual undertaking, involving those who have been harmed and those who perpetrated harms, or their proxies in the case of historical injuries. We have a good deal of information on how First Nations, Inuit, and Métis people have been working on coming to peace within their own persons and restoring harmonious relations within their communities. There is less evidence of how peacemaking can be extended to include the Canadian populace at large. Perhaps reconciliation is proceeding in some quarters without public fanfare. National Chief Phil Fontaine, speaking in Ottawa on 29 June 2007, a National Day of Action organized by the Assembly of First Nations, stated that similar peaceful assemblies were being held across Canada and that they represent “a hundred points of hope.”¹⁰ The gathering of Aboriginal and non-Aboriginal people in Ottawa alone was reported to have attracted three thousand people, suggesting that there may have been tens of thousands of people across Canada engaged in acts of reconciliation that went unreported by the media, while two sites of angry confrontation received intensive coverage.

Survivor organizations, political leaders, Elders, community activists, churches, governments, and many, many Canadian citizens are affirming that reconciliation can begin now. The challenge for the Truth and Reconciliation Commission will be to engage a broad spectrum of Aboriginal and non-Aboriginal people in Canada to walk together through shared experiences of acknowledgement, redress, and healing to the threshold of reconciliation. The promise of a Canada that is not only peaceable but also just and inclusive is worthy of our unreserved commitment.

Nia:wen. Thank you for your attention.

NOTES

¹ The *Final Report of the Aboriginal Healing Foundation* (2006) is comprised of three volumes: Marlene Brant Castellano, Volume I: A Healing Journey: Reclaiming Wellness; Kishk Anaquot Health Research, Volume II: Measuring Progress: Program Evaluation; and Linda Archibald, Volume III: Promising Healing Practices in Aboriginal Communities. Ottawa, ON: Aboriginal Healing Foundation. The final report of the AHF on its first mandate, 1998–2005, was released in 2006.

² Law Commission of Canada (2000). *Restoring Dignity: Responding to Child Abuse in Canadian Institutions*, Ottawa, ON: Minister of Public Works and Government Services.

³ Castellano (2006:177–179).

⁴ Defining symptoms of post-traumatic stress disorder are: *hyperarousal*, being excessively alert, anticipating the next traumatic event, and easily made anxious or angry; *flashbacks* to the original traumatic event set off by minor triggers; and *blunted feelings*, which make it difficult to maintain relationships.

⁵ For a fuller discussion of historic trauma see: Castellano, Marlene Brant and Linda Archibald (2007: 69–92). *Healing Historic Trauma: A Report from the Aboriginal Healing Foundation*. In Jerry P. White, Susan Wingert, Dan Beavon, and Paul Maxim (eds.), *Aboriginal Policy Research. Moving Forward, Making A Difference, Volume IV*. Toronto, ON: Thompson Educational Publishing Inc.; and Wesley-Esquimaux, Cynthia and Magdalena Smolewski (2004). *Historic Trauma and Aboriginal Healing*. Ottawa , ON: Aboriginal Healing Foundation.

⁶ Lane Jr., Phil, Michael Bopp, Judie Bopp, and Julian Norris (2002). *Mapping the Healing Journey: The final report of a First Nation Research Project on Healing in Canadian Aboriginal Communities*. Ottawa, ON: Solicitor General of Canada and the Aboriginal Healing Foundation.

⁷ Lane et al. (2002:63).

⁸ Royal Commission on Aboriginal Peoples (1996). *Report of the Royal Commission on Aboriginal Peoples, Volume 3: Gathering Strength*. Ottawa, ON: Canada Communications Group.

⁹ See for example, Lane et al. (2002).

¹⁰ AFN National Chief Calls National Day of Action an Overwhelming Success, Assembly of First Nations Press Release, June 19, 2007. Retrieved 21 January 2008 from: <http://www.afn.ca/article.asp?id=3694>



Photo: Courtesy of Janice Longboat

CONCLUSION

THE JOURNEY

The papers in this collection, taken together, trace a path from truth to reconciliation. They record the origins of false assumptions that devalued the humanity of Aboriginal people and led to oppressive policies that did immeasurable harm to successive generations of children. As Survivors revisit their individual journeys to wholeness, we see their struggle and their resilience, and we share with them momentarily the waves of vulnerability that surge under the surface of even the most accomplished lives. We applaud the dedication, the energy, and the anger of colleagues who encounter daily the devastating impacts of historic trauma and labour to create safety for women, nurturing environments and protection for children, and justice interventions that heal.

The exploration of reconciliation processes that have had some success in South Africa, New Zealand, Australia, and here at home gives cause for optimism, but the studies and narratives show that there is no perfect formula and certainly none that can be transferred directly to healing the legacy of residential schools in Canada. People set their foot on the path to reconciliation with different burdens, different strengths, and different goals, and some hesitate to set out at all, uncertain that reconciliation is either possible or desirable.

Reconciliation has to create trust between individuals who harbour stereotypes of each other, animate collaboration between communities that perceive themselves to have different interests, infuse professional and institutional practices that are often ill-conceived and misdirected, and eventually change the perception of Aboriginal and non-Aboriginal peoples in Canada of who we are and how we came to be neighbors and relations in this land.

Fostering reconciliation in those terms is an awesome responsibility to place on three Commissioners with a maximum five-year mandate. Yet, the roots of the residential school system run deep in our history, and the effects ripple through the whole of the Aboriginal community whether or not individuals were personally exposed to the system. A narrow focus on cause and effect of defined harms will not suffice, as the diverse contributors to this collection make clear.

What assurance can be drawn from the papers that worthwhile progress on the path to reconciliation is achievable? There is much to be learned from

the wisdom of our contributors that we will not attempt to summarize here. However, evidence from their experience and insights gives us confidence that a reconciliation process that effectively addresses the impact of residential schooling can become a major turning point in the relationship between Aboriginal peoples and all Canadians. Our cautious optimism is based on some specific features of the process now underway: the symbolic importance of residential schools; a long-awaited government apology; the transformative power of bearing witness; and the opportunities for citizen involvement in healing and reconciliation.

RESIDENTIAL SCHOOLING AS A FOCUS FOR RECONCILIATION

The residential school system is powerfully symbolic of the flawed relationship between Aboriginal and non-Aboriginal peoples in Canada, probably second only to struggles around land in its ability to mobilize involvement in Aboriginal communities. Residential schooling did violence to children not only physically but spiritually. Their inherent resilience was often overwhelmed and many sought refuge in non-feeling, passive compliance, or becoming aggressors themselves. The moral confusion seen in many communities today is linked directly to the detachment of children from their cultural moorings and the deprivation that they experienced and later replicated in the rearing of their own children.

At the same time, the very pervasiveness of residential school trauma has proven to be a resource. When the creation of the Aboriginal Healing Foundation presented opportunities for community-led healing initiatives, tens of thousands of Survivors, their relations, and community members came together to support one another on their healing journeys by working, learning, and volunteering in record numbers. First Nations, Inuit, and Métis people have demonstrated that even in the most troubled communities there are healthy individuals who have the motivation and the capacity to effect change. Similarly, the realization that children were harmed and that children continue to be harmed by intergenerational impacts has the potential to move Canadians in society at large toward meeting the first requirement for reconciliation—acknowledgement of the need for repairing relationships.

APOLOGY

Abuse of children was the issue that moved government to its first guarded effort at apology and reconciliation in 1998. The Prime Minister announced in the Speech from the Throne in October 2007 that an apology would be associated with the launch of the Truth and Reconciliation Commission. The

In 1928, a government official predicted that the “Indian problem” would end within two generations. What problem did they mean? My heart hurts to think that we were not thought of as people but as a problem that they wanted to control instead.

*Jessica Lafond, 23
Wet’suwet’en
Gilseyhu (Big Frog) clan
Prince George, British Columbia*

content of the apology is unknown as this is being written. We can hope that the Prime Minister will be guided by advice such as that presented in articles in this collection on the qualities of an authentic, effective apology. The gestures toward redress in the common experience payments now being distributed and the independent assessment process for instances of serious physical abuse and sexual abuse, administered separately from the Truth and Reconciliation Commission, can be seen as evidence of the sincerity of apology.

A public, ceremonial statement from the highest political authority in the land has huge symbolic value. Such an apology acknowledges the enormity of the wrongful action by government, the responsibility of the Canadian citizenry in whose name the harm was inflicted, and it implicitly or explicitly promises that the wrong will not be repeated. A public apology establishes a new standard of behaviour toward Aboriginal people whose human rights have been trampled upon. But as Robert Joseph points out in his article, even a highly symbolic apology is only a speech act. It seeks to rectify a situation for which true restitution is impossible. Any positive effect is dependent on acceptance of the apology by the injured parties and adherence to the new standard in everyday transactions.

The challenge for the Truth and Reconciliation Commission will be to explore what hurts at the local level need to be healed, what actions would serve to translate public apology into local dialogue, and who in diverse Aboriginal and non-Aboriginal communities has the will and the stature to lead the building of mutual trust. Commissions and task forces in the past have been assigned responsibility for analyzing problems and coming up with solutions that are presented to governments. Public apology can have significant impact, and the report of the Truth and Reconciliation Commission can focus and highlight the ongoing public commitment that is required, but reconciliation has to take place at a thousand points of encounter, and it has to be reaffirmed when clashes of personalities, interests and cultures trigger old animosities.

BEARING WITNESS

The most visible component of the Truth and Reconciliation Commission's work in the first two-and-a-half years of its mandate will be public events at which testimony of Survivors and community members is heard, and the responsiveness of the non-Aboriginal community is given expression. Care has been taken in defining the Commission's mandate to ensure that such events do not turn into trials that attribute blame to individuals. Evidence from truth and reconciliation processes in other countries and reports that have circulated in Canada over the past twenty-five years prepare us for angry denunciations

of treatment in residential schools and revelations of abuse that will be shocking and heart-rending. The physical and emotional toll on commissioners elsewhere as they listened with compassion to such accounts has been extreme. What does truth-telling in this public manner accomplish?

Speaking one's painful truth in a safe environment can be a healing experience, bringing nightmarish moments and images out of the recesses of suppressed memory and seeing them for what they are—pieces of personal history that can be framed in a larger story of survival and resilience. Laurence Kirmayer, a Canadian psychiatrist who has done extensive research on Aboriginal mental health, explains that what one remembers and what one forgets are strongly affected by rehearsing privately and telling in company what one has experienced: "If a family or community agrees that a trauma did not happen, then it vanishes from collective memory and the possibility for individual memory is severely strained."¹

With reference to large-scale atrocities Kirmayer writes: "Each collective act of remembering makes it more possible for individuals to recollect and tell their personal stories....We do not see their failure to surpass their traumas and move on as a consequence of personal weakness but as the inhuman force of the evil they have endured."²

Public testimony and results of documentary research will form part of the archive that the Truth and Reconciliation Commission will establish. The stories of individuals and impacts on communities will thus be validated, that is, given recognition in the public record. But will they make a difference in public consciousness? There have been horrific stories brought into public view before now: Helen Betty Osborne, whose murder was the subject of a provincial inquiry; the self-destructive behaviour of despairing, gas-sniffing children in Davis Inlet; and the mob aggression of townspeople against women, children, and Elders from Kanawake during the Oka crisis. Awareness of violations and trauma is raised briefly by media coverage and then subsides.

Kirmayer observes that "accounts of the terrible things that happen to people ... are warded off because of their capacity to create vicarious fear and pain [and] because they constitute a threat to current social and political arrangements."³ The current social and political arrangements in Canada place on-reserve Indians 79th on the United Nations Human Development Index, which is based on measurements of life expectancy, education, and income. While Canada consistently ranks among the top three countries in the world, the quality of life of the on-reserve population ranks on a par with Brazil and Peru.⁴ We suggest that the capacity of Canadians to tolerate such disparities

and to dismiss the suffering they entail is reinforced by the residue of colonialist notions and by despair that anything can be done to bring about change.

The colonial views that gave rise to residential schools held that First Nations, Inuit, and Métis were the “Others” who would benefit from aggressive measures to civilize them. The divide between the social worlds of Aboriginal and non-Aboriginal people in Canada persists. It contributes to assumptions that the work of civilizing natives is incomplete, that poverty is caused by failure to catch up with the times rather than by dispossession, that brutalization of Aboriginal women is perpetrated by a few deviant individuals, not because they are devalued by society. If parents have difficulty providing for their children, “That’s the way it is with them.” Some authors in this collection, who have worked to bridge the chasm between peoples, question whether Canada is ready for either conciliation or reconciliation.

When we hear or see things that are dissonant with our inner sense of reality, the normal response is to deny that they are true, put them at a distance, or reinterpret them to make sense. Witnessing, whether by Truth and Reconciliation Commissioners or by ordinary Canadians, involves listening to painful, sometimes harsh, words without flinching or resorting to denial. Compassionate listeners need to hear that the ruptures of relationship and the trauma of victimization can be resolved and that they can do something to make a difference. Aboriginal and non-Aboriginal people each need to recognize the humanity of the other and own the responsibility for becoming “repairers of the breach.” This portion of the path to reconciliation has been traversed before by some individuals, small-scale groups, and nation-wide church communities—never at a societal level in Canada.

CITIZEN INVOLVEMENT IN RECONCILIATION

The Truth and Reconciliation Commission will have an important role to play in disseminating the truths revealed in its meetings and associated events to the broader public. The Commission, its records and archive, will become the steward of a repertoire of stories about residential schools.

Thomas King, an author and humorist who became the first Aboriginal person to deliver the prestigious Massey Lectures, titled his talks “The Truth About Stories.”⁵ King ended each round of his own storytelling with the words: “Do with it what you will ... But don’t say in the years to come that you would have lived your life differently if only you had heard this story.”⁶ One of our authors, when pressed to be more explicit about the meaning he wanted readers to take from a part of his story, commented that readers would take away different

Reconciliation is about relationship and it will be determined by all parties through conversation and engagement.

It is about becoming good neighbours and healing the relationship so that there is respect for each other and respect for our history.

*Viola Robinson
AHF Board member
Mi’kmaq
Truro, Nova Scotia*

understandings and that was as it should be. The Truth and Reconciliation Commission cannot determine how the stories it tells will be received or whether they will lead people to live their lives differently.

The Truth and Reconciliation Commission may find that there is a pent-up need among residential school Survivors and their families to be heard and validated, but if the discourse is only about pain and shame, it will have limited effect in moving people toward reconciliation. The experience of the Aboriginal Healing Foundation (AHF) as recorded in the *Final Report* (2006) may have some useful lessons in facilitating goal-oriented community participation.

The AHF, like the Truth and Reconciliation Commission, began its work without precedents to guide the processes to fulfill its mission. The AHF did see itself as stepping into an ongoing stream of community-building, drawing particularly on the experience of the Royal Commission on Aboriginal Peoples. The AHF sought to recognize community strengths, introduce measures to enhance them, and leave its own legacy of skilled and ethically informed people who would carry on the work when the limited-term organization wound down. One of the significant insights drawn from program and project evaluations was the extent to which communities were successful in mobilizing local resources to plan, implement, and evolve healing initiatives.

The AHF recognized that documentary communications were insufficient to engage grassroots Aboriginal communities that rely heavily on oral and personal communications and that are widely scattered, often in small, rural, and remote locations. It implemented various modes of communicating its mission and activities, including: regional meetings where AHF leaders opened themselves to questioning and comment from the community; toll-free telephone service; the quarterly newsletter *Healing Words*; liaison with public media; and placing community support coordinators in the regions. The secretiveness and isolation of effort that is often fostered by competition for scarce funds was countered by vigorous efforts to inform communities of successful initiatives and regional workshops on proposal development where community-to-community learning became the norm.⁷ The feed-back loop of research and development that drives innovation in business was applied to identifying and promoting promising practices in community healing, recognizing that Aboriginal communities themselves were the primary resources for problem-solving.

I have a hard time translating reconciliation into my language. There are over 600 First Nation communities and each one has a different approach. How many languages do we speak around this table? What does reconciliation mean in each of these languages? Everyone's understanding and interpretation of reconciliation will be different and perhaps this is something we need to look at.

Murray Ironchild
AHF Board member
Piapot First Nation
Craven, Saskatchewan

A NATIONAL PROJECT OF RECONCILIATION

The Truth and Reconciliation Commission has been created pursuant to the court-mandated *Indian Residential Schools Settlement Agreement*. Its mission will naturally be perceived by many as a project involving Survivors and their communities and the parties to the *Agreement*, that is, the federal government and the church entities that administered residential schools. The articles in this collection, written by Survivors, community workers, social justice activists, lawyers, church leaders, researchers and academics assert a different view: reconciliation must become a national project that involves the widest spectrum of Aboriginal and non-Aboriginal citizens to effect fundamental change in the lives of Aboriginal people and their relationship with Canadian society.

In 1996 the Royal Commission on Aboriginal Peoples wrote:

We believe firmly that the time has come to resolve a fundamental contradiction at the heart of Canada: that while we assume the role of defender of human rights in the international community, we retain, in our conception of Canada's origins and make-up, the remnants of colonial attitudes of cultural superiority that do violence to the Aboriginal peoples to whom they are directed.⁸

Until now, the injustice visited on Aboriginal children, families, communities, and nations in the residential school system and the denial of responsibility that has impeded resolution of Survivor claims for redress have stood among the most grievous contradictions at the heart of Canada.

We believe, we want to believe, that Canada is the best country in the world in which to live. The Truth and Reconciliation Commission has the task of helping to ensure that this assertion becomes valid equally for Aboriginal citizens in Canada. Stories that tell harsh truths without flinching, that honour the resilience of individuals and communities who are restoring balance in their lives, and that give evidence of a commitment on all sides to transforming relationships, have a chance of becoming a part of the grand narrative of Canada, shaping our understanding of who we are as a people and enabling us to live our lives differently.

This book is presented to Commissioners with hope for what you can accomplish and assurance that you have many allies as you undertake a five-year journey to affirm truth and advance reconciliation that will serve all peoples in Canada.

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NOTES

- ¹ Kirmayer, Laurence J. (1996:190). Landscapes of Memory: Trauma, Narrative, and Dissociation. In P. Antze and M. Lambek (eds.), *Tense Past: Cultural Essays in Trauma and Memory*. London, UK: Routledge.
- ² Kirmayer (1996:189–190).
- ³ Kirmayer (1996:192).
- ⁴ Beavon, Dan and Martin Cooke (2003). An Application of the United Nations Human Development Index to Registered Indians in Canada. In Jerry P. White, Paul S. Maxim, and Dan Beavon (eds.), *Aboriginal Conditions, Research as a Foundation for Public Policy*. Vancouver: UBC Press: 201–221.
- ⁵ King, Thomas (2003). *The Truth About Stories: A Native Narrative*. Toronto: House of Anansi Press.
- ⁶ King (2003:29). King ends each lecture and chapter in the same way, thus it is repeated on pages 60, 89, 119, 151, and 167.
- ⁷ Administrative strategies adopted by the Aboriginal Healing Foundation are highlighted in: DeGagne, Mike (2007). *Administration in a National Aboriginal Organization: impacts of cultural adaptations*. [Unpublished; available from the Aboriginal Healing Foundation.]
- ⁸ Royal Commission on Aboriginal Peoples (1996:5). *Report of the Royal Commission on Aboriginal Peoples, Volume 1: Looking Forward, Looking Back*. Ottawa, ON: Minister of Supply and Services Canada.

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Marlene is a professor emeritus of Trent University and has been honoured with LL.D. degrees from Queen's, St. Thomas, and Carleton universities, a National Aboriginal Achievement Award, and appointment to the Order of Ontario. In 2005 Marlene was named an Officer of the Order of Canada.

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SCHEDULE "N"

MANDATE FOR THE TRUTH AND RECONCILIATION
COMMISSION

There is an emerging and compelling desire to put the events of the past behind us so that we can work towards a stronger and healthier future. The truth telling and reconciliation process as part of an overall holistic and comprehensive response to the Indian Residential School legacy is a sincere indication and acknowledgement of the injustices and harms experienced by Aboriginal people and the need for continued healing. This is a profound commitment to establishing new relationships embedded in mutual recognition and respect that will forge a brighter future. The truth of our common experiences will help set our spirits free and pave the way to reconciliation.

Principles

Through the Agreement, the Parties have agreed that an historic Truth and Reconciliation Commission will be established to contribute to truth, healing and reconciliation.

The Truth and Reconciliation Commission will build upon the "Statement of Reconciliation" dated January 7, 1998 and the principles developed by the Working Group on Truth and Reconciliation and of the Exploratory Dialogues (1998-1999). These principles are as follows: accessible; victim-centered; confidentiality (if required by the former student); do no harm; health and safety of participants; representative; public/transparent; accountable; open and honourable process; comprehensive; inclusive, educational, holistic, just and fair; respectful; voluntary; flexible; and forward looking in terms of rebuilding and renewing Aboriginal relationships and the relationship between Aboriginal and non-Aboriginal Canadians.

Reconciliation is an ongoing individual and collective process, and will require commitment from all those affected including First Nations, Inuit and Métis former Indian Residential School (IRS) students, their families, communities, religious entities, former school employees, government and the people of Canada. Reconciliation may occur between any of the above groups.

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Terms of Reference

1. Goals

The goals of the Commission shall be to:

- (a) Acknowledge Residential School experiences, impacts and consequences;
- (b) Provide a holistic, culturally appropriate and safe setting for former students, their families and communities as they come forward to the Commission;
- (c) witness,¹ support, promote and facilitate truth and reconciliation events at both the national and community levels;
- (d) Promote awareness and public education of Canadians about the IRS system and its impacts;
- (e) Identify sources and create as complete an historical record as possible of the IRS system and legacy. The record shall be preserved and made accessible to the public for future study and use;
- (f) Produce and submit to the Parties of the Agreement² a report including recommendations³ to the Government of Canada concerning the IRS system and experience including: the history, purpose, operation and supervision of the IRS system, the effect and consequences of IRS (including systemic harms, intergenerational consequences and the impact on human dignity) and the ongoing legacy of the residential schools;
- (g) Support commemoration of former Indian Residential School students and their families in accordance with the Commemoration Policy Directive (Schedule "X" of the Agreement).

2. Establishment, Powers, Duties and Procedures of the Commission

The Truth and Reconciliation Commission shall be established by the appointment of "the Commissioners" by the Federal Government through an Order in Council, pursuant to special appointment regulations.

Pursuant to the Court-approved final settlement agreement and the class action judgments, the Commissioners:

- (a) in fulfilling their Truth and Reconciliation Mandate, are authorized to receive statements and documents from former students, their

families, community and all other interested participants, and, subject to (f), (g) and (h) below, make use of all documents and materials produced by the parties. Further, the Commissioners are authorized and required in the public interest to archive all such documents, materials, and transcripts or recordings of statements received, in a manner that will ensure their preservation and accessibility to the public and in accordance with access and privacy legislation, and any other applicable legislation;

- (b) shall not hold formal hearings, nor act as a public inquiry, nor conduct a formal legal process;
- (c) shall not possess subpoena powers, and do not have powers to compel attendance or participation in any of its activities or events. Participation in all Commission events and activities is entirely voluntary;
- (d) may adopt any informal procedures or methods they may consider expedient for the proper conduct of the Commission events and activities, so long as they remain consistent with the goals and provisions set out in the Commission's mandate statement;
- (e) may, at its discretion, hold sessions in camera, or require that sessions be held in camera;
- (f) shall perform their duties in holding events, in activities, in public meetings, in consultations, in making public statements, and in making their report and recommendations without making any findings or expressing any conclusion or recommendation, regarding the misconduct of any person, unless such findings or information has already been established through legal proceedings, by admission, or by public disclosure by the individual. Further, the Commission shall not make any reference in any of its activities or in its report or recommendations to the possible civil or criminal liability of any person or organization, unless such findings or information about the individual or institution has already been established through legal proceedings;
- (g) shall not, except as required by law, use or permit access to statements made by individuals during any of the Commissions events, activities or processes, except with the express consent of the individual and only for the sole purpose and extent for which the consent is granted;

- (h) shall not name names in their events, activities, public statements, report or recommendations, or make use of personal information or of statements made which identify a person, without the express consent of that individual, unless that information and/or the identity of the person so identified has already been established through legal proceedings, by admission, or by public disclosure by that individual. Other information that could be used to identify individuals shall be anonymized to the extent possible;
- (i) notwithstanding (e), shall require in camera proceedings for the taking of any statement that contains names or other identifying information of persons alleged by the person making the statement of some wrong doing, unless the person named or identified has been convicted for the alleged wrong doing. The Commissioners shall not record the names of persons so identified, unless the person named or identified has been convicted for the alleged wrong doing. Other information that could be used to identify said individuals shall be anonymized to the extent possible;
- (j) shall not, except as required by law, provide to any other proceeding, or for any other use, any personal information, statement made by the individual or any information identifying any person, without that individual's express consent;
- (k) shall ensure that the conduct of the Commission and its activities do not jeopardize any legal proceeding;
- (l) may refer to the NAC for determination of disputes involving document production, document disposal and archiving, contents of the Commission's Report and Recommendations and Commission decisions regarding the scope of its research and issues to be examined. The Commission shall make best efforts to resolve the matter itself before referring it to the NAC.

3. Responsibilities

In keeping with the powers and duties of the Commission, as enumerated in section 2 above, the Commission shall have the following responsibilities:

- (a) to employ interdisciplinary, social sciences, historical, oral traditional and archival methodologies for statement-taking, historical fact-finding and analysis, report-writing, knowledge management and archiving;

- (b) to adopt methods and procedures which it deems necessary to achieve its goals;
- (c) to engage the services of such persons including experts, which it deems necessary to achieve its goals;
- (d) to establish a research centre and ensure the preservation of its archives;
- (e) to have available the use of such facilities and equipment as is required, within the limits of appropriate guidelines and rules;
- (f) to hold such events and give such notices as appropriate. This shall include such significant ceremonies as the Commission sees fit during and at the conclusion of the 5 year process;
- (g) to prepare a report;
- (h) to have the report translated in the two official languages of Canada and all or parts of the report in such Aboriginal languages as determined by the Commissioners;
- (i) to evaluate commemoration proposals in line with the Commemoration Policy Directive (Schedule “X” of the Agreement).

4. Exercise of Duties

As the Commission is not to act as a public inquiry or to conduct a formal legal process, it will, therefore, not duplicate in whole or in part the function of criminal investigations, the Independent Assessment Process, court actions, or make recommendations on matters already covered in the Agreement. In the exercise of its powers the Commission shall recognize:

- (a) the unique experiences of First Nations, Inuit and Métis former IRS students, and will conduct its activities, hold its events, and prepare its Report and Recommendations in a manner that reflects and recognizes the unique experiences of all former IRS students;
- (b) that the truth and reconciliation process is committed to the principle of voluntariness with respect to individuals’ participation;
- (c) that it will build upon the work of past and existing processes, archival records, resources and documentation, including the work and records of the *Royal Commission on Aboriginal Peoples* of 1996;

- (d) the significance of Aboriginal oral and legal traditions in its activities;
- (e) that as part of the overall holistic approach to reconciliation and healing, the Commission should reasonably coordinate with other initiatives under the Agreement and shall acknowledge links to other aspects of the Agreement such that the overall goals of reconciliation will be promoted;
- (f) that all individual statements are of equal importance, even if these statements are delivered after the completion of the report;
- (g) that there shall be an emphasis on both information collection/storage and information analysis.

5. Membership

The Commission shall consist of an appointed Chairperson and two Commissioners, who shall be persons of recognized integrity, stature and respect.

- (a) Consideration should be given to at least one of the three members being an Aboriginal person;
- (b) Appointments shall be made out of a pool of candidates nominated by former students, Aboriginal organizations, churches and government;
- (c) The Assembly of First Nations (AFN) shall be consulted in making the final decision as to the appointment of the Commissioners.

6. Secretariat

The Commission shall operate through a central Secretariat.

- (a) There shall be an Executive Director in charge of the operation of the Commission who shall select and engage staff and regional liaisons;
- (b) The Executive Director and the Secretariat shall be subject to the direction and control of the Commissioners;
- (c) The Secretariat shall be responsible for the activities of the Commission such as:
 - (i) research;
 - (ii) event organization;

- (iii) statement taking/truth-sharing;
 - (iv) obtaining documents;
 - (v) information management of the Commission's documents;
 - (vi) production of the report;
 - (vii) ensuring the preservation of its records;
 - (viii) evaluation of the Commemoration Policy Directive proposals.
- (d) The Executive Director and Commissioners shall consult with the Indian Residential School Survivor Committee on the appointment of the Regional Liaisons.
- (e) Regional liaisons shall:
- (i) act as knowledge conduits and promote sharing of knowledge among communities, individuals and the Commission;
 - (ii) provide a link between the national body and communities for the purpose of coordinating national and community events;
 - (iii) provide information to and assist communities as they plan truth and reconciliation events, coordinate statement-taking/truth-sharing and event-recording, and facilitate information flow from the communities to the Commission.

7. Indian Residential School Survivor Committee (IRSSC)

The Commission shall be assisted by an Indian Residential School Survivor Committee (IRSSC).

- (a) The Committee shall be composed of 10 representatives drawn from various Aboriginal organizations and survivor groups. Representation shall be regional, reflecting the population distribution of Indian Residential Schools (as defined in the Agreement). The majority of the representatives shall be former residential school students;
- (b) Members of the Committee shall be selected by the Federal Government, in consultation with the AFN, from a pool of eligible candidates developed by the stakeholders;
- (c) Committee members are responsible for providing advice to the Commissioners on:

- (i) the characteristics of a “community” for the purposes of participation in the Commission processes;
- (ii) the criteria for the community and national processes;
- (iii) the evaluation of Commemoration Policy Directive proposals;
- (iv) such other issues as are required by the Commissioners.

8. Timeframe

The Commission shall complete its work within five years. Within that five year span, there are two timelines:

Two Year Timeline

- (a) Preparation of a budget within three months from being launched, under the budgetary cap provision in the Agreement;
- (b) Completion of all national events, and research and production of the report on historic findings and recommendations, within two years of the launch of the Commission, with the possibility of a 6 month extension, which shall be at the discretion of the Commissioners.

Five Year Timeline

- (a) Completion of the community truth and reconciliation events, statement taking/truth sharing, reporting to the Commission from communities, and closing ceremonies;
- (b) Establishment of a research centre.

9. Research

The Commission shall conduct such research, receive and take such statements and consider such documents as it deems necessary for the purpose of achieving its goals.

10. Events

There are three essential event components to the Truth and Reconciliation Commission: National Events, Community Events and Individual Statement-Taking/Truth Sharing. The Truth and Reconciliation process will be concluded with a final Closing Ceremony.

(A) National Events

The national events are a mechanism through which the truth and reconciliation process will engage the Canadian public and provide education about the IRS system, the experience of former students and their families, and the ongoing legacies of the institutions.

The Commission shall fund and host seven national events in different regions across the country for the purpose of

- (a) sharing information with/from the communities;
- (b) supporting and facilitating the self empowerment of former IRS students and those affected by the IRS legacy;
- (c) providing a context and meaning for the Common Experience Payment;
- (d) engaging and educating the public through mass communications;
- (e) otherwise achieving its goals.

The Commission shall, in designing the events, include in its consideration the history and demographics of the IRS system.

National events should include the following common components:

- (f) an opportunity for a sample number of former students and families to share their experiences;
- (g) an opportunity for some communities in the regions to share their experiences as they relate to the impacts on communities and to share insights from their community reconciliation processes;
- (h) an opportunity for participation and sharing of information and knowledge among former students, their families, communities, experts, church and government officials, institutions and the Canadian public;
- (i) ceremonial transfer of knowledge through the passing of individual-statement transcripts or community reports/statements. The Commission shall recognize that ownership over IRS experiences rests with those affected by the Indian Residential School legacy;
- (j) analysis of the short and long term legacy of the IRS system on individuals, communities, groups, institutions and Canadian society including the intergenerational impacts of the IRS system;

- (k) participation of high level government and church officials;
- (l) health supports and trauma experts during and after the ceremony for all participants.

(B) Community Events

It is intended that the community events will be designed by communities and respond to the needs of the former students, their families and those affected by the IRS legacy including the special needs of those communities where Indian Residential Schools were located.

The community events are for the purpose of:

- (a) acknowledging the capacity of communities to develop reconciliation practices;
- (b) developing collective community narratives about the impact of the IRS system on former students, families and communities;
- (c) involving church, former school employees and government officials in the reconciliation process, if requested by communities;
- (d) creating a record or statement of community narratives - including truths, insights and recommendations - for use in the historical research and report, national events, and for inclusion in the research centre;
- (e) educating the public and fostering better relationships with local communities;
- (f) allowing for the participation from high level government and church officials, if requested by communities;
- (g) respecting the goal of witnessing in accordance with Aboriginal principles.

The Commission, during the first stages of the process in consultation with the IRSSC, shall develop the core criteria and values consistent with the Commission's mandate that will guide the community processes.

Within these parameters communities may submit plans for reconciliation processes to the Commission and receive funding for the processes within the limits of the Commission's budgetary capacity.

(C) Individual Statement-Taking/Truth Sharing

The Commission shall coordinate the collection of individual statements by written, electronic or other appropriate means. Notwithstanding the five year mandate, anyone affected by the IRS legacy will be permitted to file a personal statement in the research centre with no time limitation.

The Commission shall provide a safe, supportive and sensitive environment for individual statement-taking/truth sharing.

The Commission shall not use or permit access to an individual's statement made in any Commission processes, except with the express consent of the individual.

(D) Closing Ceremony

The Commission shall hold a closing ceremony at the end of its mandate to recognize the significance of all events over the life of the Commission. The closing ceremony shall have the participation of high level church and government officials.

11. Access to Relevant Information

In order to ensure the efficacy of the truth and reconciliation process, Canada and the churches will provide all relevant documents in their possession or control to and for the use of the Truth and Reconciliation Commission, subject to the privacy interests of an individual as provided by applicable privacy legislation, and subject to and in compliance with applicable privacy and access to information legislation, and except for those documents for which solicitor-client privilege applies and is asserted.

In cases where privacy interests of an individual exist, and subject to and in compliance with applicable privacy legislation and access to information legislation, researchers for the Commission shall have access to the documents, provided privacy is protected. In cases where solicitor-client privilege is asserted, the asserting party will provide a list of all documents for which the privilege is claimed.

Canada and the churches are not required to give up possession of their original documents to the Commission. They are required to compile all relevant documents in an organized manner for review by the Commission and to provide access to their archives for the Commission to carry out its mandate. Provision of documents does not require provision of original documents. Originals or true copies may be provided or originals may be

provided temporarily for copying purposes if the original documents are not to be housed with the Commission.

Insofar as agreed to by the individuals affected and as permitted by process requirements, information from the Independent Assessment Process (IAP), existing litigation and Dispute Resolution processes may be transferred to the Commission for research and archiving purposes.

12. National Research Centre

A research centre shall be established, in a manner and to the extent that the Commission's budget makes possible. It shall be accessible to former students, their families and communities, the general public, researchers and educators who wish to include this historic material in curricula.

For the duration of the term of its mandate, the Commission shall ensure that all materials created or received pursuant to this mandate shall be preserved and archived with a purpose and tradition in keeping with the objectives and spirit of the Commission's work.

The Commission shall use such methods and engage in such partnerships with experts, such as Library and Archives Canada, as are necessary to preserve and maintain the materials and documents. To the extent feasible and taking into account the relevant law and any recommendations by the Commission concerning the continued confidentiality of records, all materials collected through this process should be accessible to the public.

13. Privacy

The Commission shall respect privacy laws, and the confidentiality concerns of participants. For greater certainty:

- (a) any involvement in public events shall be voluntary;
- (b) notwithstanding 2(i), the national events shall be public or in special circumstances, at the discretion of the Commissioners, information may be taken in camera;
- (c) the community events shall be private or public, depending upon the design provided by the community;
- (d) if an individual requests that a statement be taken privately, the Commission shall accommodate;
- (e) documents shall be archived in accordance with legislation.

14. Budget and Resources

The Commission shall prepare a budget within the first three months of its mandate and submit it to the Minister of Indian Residential Schools Resolution Canada for approval. Upon approval of its budget, it will have full authority to make decisions on spending, within the limits of, and in accordance with, its Mandate, its establishing Order in Council, Treasury Board policies, available funds, and its budgetary capacity.

The Commission shall ensure that there are sufficient resources allocated to the community events over the five year period. The Commission shall also ensure that a portion of the budget is set aside for individual statement-taking/truth sharing and to archive the Commission's records and information.

Institutional parties shall bear the cost of participation and attendance in Commission events and community events, as well as provision of documents. If requested by the party providing the documents, the costs of copying, scanning, digitalizing, or otherwise reproducing the documents will be borne by the Commission.

Notes

- ¹ This refers to the Aboriginal principle of "witnessing".
- ² The Government of Canada undertakes to provide for wider dissemination of the report pursuant to the recommendations of the Commissioners.
- ³ The Commission may make recommendations for such further measures as it considers necessary for the fulfillment of the Truth and Reconciliation Mandate and goals.

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