

BACKGROUND: THE TRUTH AND RECONCILIATION COMMISSION OF CANADA

SARAH SLASOR

HISTORY 4RR3: TRUTH AND RECONCILIATION AFTER ATROCITY

DR. BONNY IBHAWOH

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Image source: <https://www.thestar.com/news/canada/2015/06/02/highlights-of-truth-and-reconciliation-commissions-recommendations-on-residential-schools.html>

Image source: <https://earth.google.com/web/@43.127456,-80.240846,200.99398697a,4500000d,35y,0h,45t,0r/data=CkYsRBIgYTBINWFkNDVhMjBiMTFIN2IzZmQzZjBhY2YwNDZiOWEiIGVmZWVkX3JjZ3NfcmVzaWRlbnRpYWxf c2Nob29sc18w>

INTRODUCTION



From Canadian confederation to the 1990s, the Canadian government executed a policy that aimed to assimilate Indigenous peoples of Canada to Western and Christian ideology through the Indian Residential School (IRS) system. In collaboration with the Canadian government and a variety of Christian churches – Anglican, Catholic, Presbyterian, and United – by the late 1990s, approximately 140 residential schools housing 150,000 children had been in operation [1;2]. In these schools, Indigenous children were emotionally, physically and sexually abused, of which the mental effects continued into the rest of their lives.

In 2006, the atrocities committed through the IRS system were recognized as serious human rights violations. This warranted a Truth and Reconciliation Commission (TRC) that began its work in 2008, through which the Church and state would attempt to remedy their abuses of Indigenous Canadians and aim to educate non-Indigenous Canadians on the IRS system.

[1] Ronald Niezen, *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools* (Toronto, CA: University of Toronto Press, 2017), 1.

[2] Truth and Reconciliation Commission of Canada, *The Survivors Speak: A Report of the Truth and Reconciliation Commission of Canada*. Winnipeg: Truth and Reconciliation Commission of Canada, 2015: VI.

The IRS system began with only two residential schools, however, by the time the last schools closed in the 1990s, approximately 140 residential schools housing 150,000 children had been in operation. According to historian Ronald Niezen, public opinion in Canada was either uninformed or supported the IRS policy, because it took over a century for the need for justice to be significantly recognized [3]. In 1991, four aboriginal and three non-aboriginal commissions were appointed to investigate the issues surrounding Canada's Indian policy and advise the federal government on their findings. The report, released in 1996, condemned every aspect of Canada's aboriginal policy [4]. Even still, moral rejection of the IRS system came far later than it should have as the IRS was not universally recognized as an atrocity until long after the shutting down of schools.

Canada's TRC served the purpose of information-gathering and witness testimony rather than holding formal hearings or conducting a legal process. It is the only truth commission to primarily focus on the victimization of children and was largely concerned with mental illness and trauma following institutionalized violence.

[3] Niezen, *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools*, 27.

[4] *Ibid*, 34.



Image source: <https://www.lawnow.org/indian-residential-schools-chronology/>

THE IRS SYSTEM: A TIMELINE

- January 1, 1620

From the 17th to 19th century, Canadian religious institutions ran mission schools for Indigenous youth, laying the foundation for Canada's IRS system.



- January 1, 1831

The Mohawk Institute, run by the Anglican Church and located in Brantford, Ontario, is established as the first school in the IRS system.



- March 20, 1845

The Bagot Commission (1842-1844) report, which proposed separating Indigenous youth from their families as a means of assimilation, is presented to the Legislative Assembly.



- June 10, 1857

The Gradual Civilization Act is passed, requiring male Status Indians and Métis aged 21 and older to read, write, speak English or French, and choose a government-approved surname. For “sufficiently advanced” Indigenous men, the act awarded 50 acres of land and removed any tribal affiliation or treaty rights.



- March 29, 1867

The federal government takes authority over First Nations and land reserved for First Nations under the *Constitution Act (British North America Act)*.



- April 12, 1876

The Indian Act, under which the federal government intended to eradicate First Nations culture and assimilate them into Euro-Canadian society, is introduced.



- July 1, 1883

Residential schools are authorized based on the recommendations of Sir John A. Macdonald.



- April 19, 1884

Residential Schools are created under the Indian Act of 1876 and are to be funded and operated by the Government of Canada as well as the Roman Catholic, Anglican, Methodist, Presbyterian, and United churches.




- January 1, 1896


The number of IRS reaches forty, while each school was provided with an allowance per student, leading to overcrowding and an increased spread of illnesses within the institutions.

Timeline continued


- November 15, 1907
Dr. Peter Henderson Bryce, chief medical officer for Canada's Department of the Interior and Indian Affairs (1904-21), claims that Indigenous children face a mortality rate of 25 percent upon enrolling in the IRS system. Once students leave the institution, this number climbs to 69 percent.




- April 1, 1920
Deputy Superintendent General of Indian Affairs, Duncan Campbell Scott, makes residential schools mandatory for Indigenous – including Métis and Inuit – children between 7 and 16 years of age.




- January 1, 1930
More than 80 institutions are in operation across Canada with an enrolment of over 17,000.




- September 4, 1951
The “Sixties Scoop” begins after amendments to the Indian Act provide jurisdiction over child welfare on reserve. Over the following decades, more than 20,000 Indigenous children are taken from their homes and adopted into non-Indigenous families.




- October 23, 1966
Chanie Wenjack, a 12-year-old Indigenous boy, dies after escaping from the Cecilia Jeffrey residential school in Ontario.




- November 17, 1966
A coroner's inquest into Chanie Wenjak's death is held, in which the all-white jury finds that residential schools cause emotional and psychological problems.




- January 1, 1969
The government takes over responsibility for the remaining residential schools from the churches.




- January 1, 1979
Thousands of Indigenous students are enrolled at the 28 residential schools that were running in Canada at the time.



- October 30, 1990
Phil Fontaine, Head of the Assembly of Manitoba Chiefs, speaks out about the abuse he underwent at Fort Alexander Residential School. Fontaine calls for a public inquiry into the IRS system, which the Canadian government initiates in 1991.



- August 26, 1991
Prime Minister Brian Mulroney initiates the Royal Commission on Aboriginal Peoples.



- January 1, 1996
The last federally-run residential school closes.



- November 21, 1996
The 1996 report of the Royal Commission on Aboriginal Peoples stated that many of the Indian Act's measures were oppressive.

Timeline continued

- September 1, 2007
The Indian Residential Schools Settlement Agreement provides compensation to Survivors. The Agreement establishes funds of the TRC.



- June 1, 2008
The Canadian government established the Truth and Reconciliation Commission of Canada to document the truth of IRS Survivors and educate Canadians on the atrocity.



- June 11, 2008
Prime Minister Stephen Harper issues a formal apology to Indigenous Canadians on behalf of the Government of Canada.



- June 16, 2010
The Canadian TRC hosts its first national event in Winnipeg, Manitoba.



- March 27, 2014
The seventh and final national TRC event is held in Edmonton, Alberta.



- May 26, 2014
A monument is unveiled in Winnipeg, Manitoba, commemorating the Survivors of residential schools.



- June 2, 2015
The TRC releases the summary of its final report on the residential school system and the experiences of Survivors. It characterizes Canada's treatment of Indigenous peoples as "cultural genocide."

- November 3, 2015
The National Centre for Truth and Reconciliation opens at the University of Manitoba.



- December 15, 2015
The final report of the TRC is released.



- May 30, 2016
Ontario Premier Kathleen Wynne issues a formal apology to IRS Survivors.



- October 6, 2017
The Canadian government announces an \$800 million settlement with Sixties Scoop survivors.



- November 24, 2017
Canadian Prime Minister Justin Trudeau issues a formal apology for residential schools in Newfoundland and Labrador.



- June 3, 2019
The final report of the national inquiry into missing and murdered Indigenous women and girls is released, giving 231 calls for justice to governments, police forces, and institutions.

Information retrieved from "Timeline: Residential Schools," The Canadian Encyclopedia, 2021. Accessed March 5, 2021. <https://www.thecanadianencyclopedia.ca/en/timeline/residential-schools>

KEY ACTORS

Sir John A. Macdonald

John A. Macdonald, Canada's founding Prime Minister, initiated and supported the IRS in the late nineteenth century. He served as the Superintendent General of Indian Affairs, in which he was responsible for overseeing the establishment of IRS. According to the Toronto Star, in May 1883, Macdonald laid out the goals of the IRS system in the House of Commons, stating that Indigenous children should be estranged from their parents to deter them from inheriting the 'savage' habits of their peoples.

Sean Carleton, "John A. Macdonald Was the Real Architect of Residential Schools," The Toronto Star, July 9, 2017. Accessed March 6, 2021.
<https://www.thestar.com/opinion/commentary/2017/07/09/john-a-macdonald-was-the-real-architect-of-residential-schools.html>

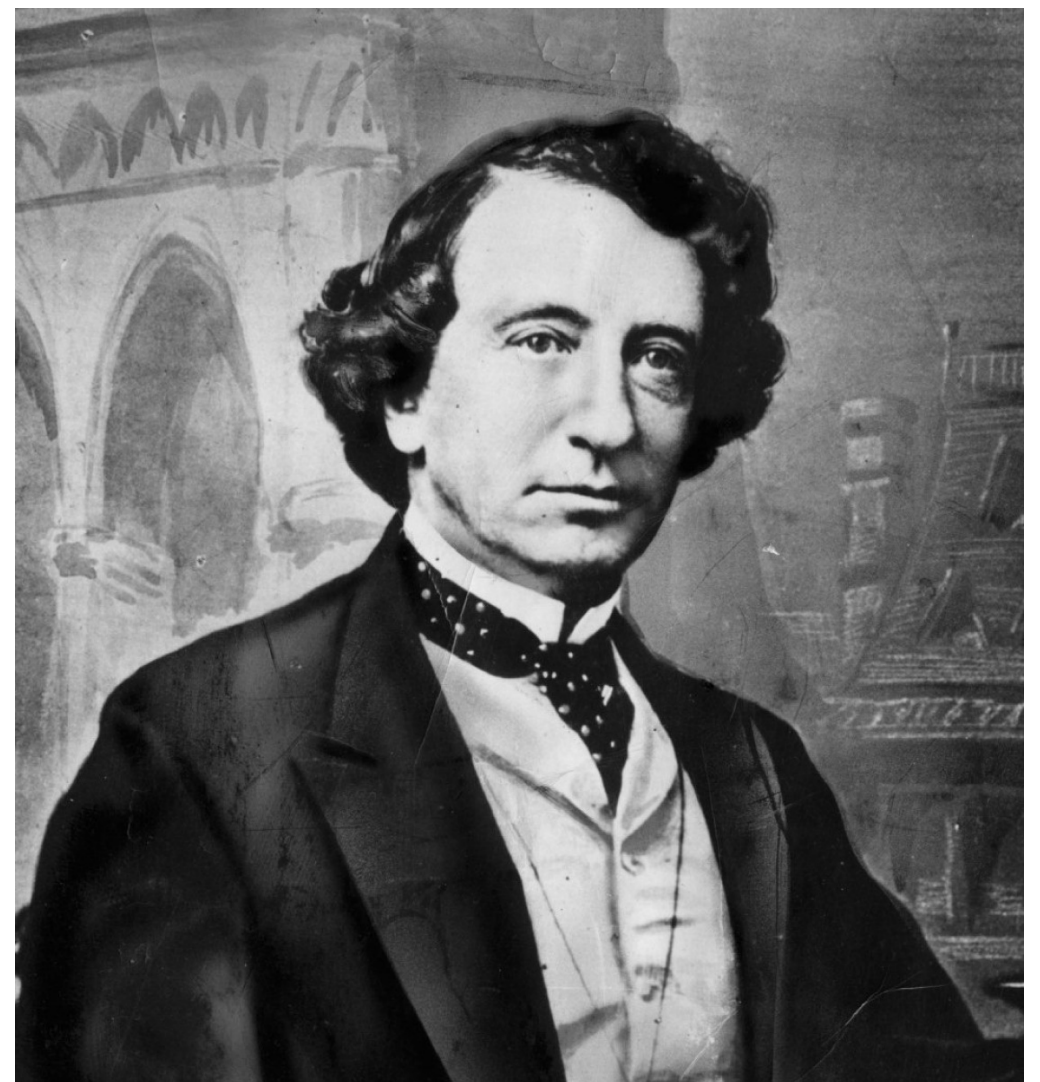


Image source:

https://www.thestar.com/opinion/commentary/2013/12/29/we_should_be_driving_on_sir_john_a_macdonald_avenue.html

The Church

The IRS system sought to make Indigenous peoples conform to Western values and Christianity. From early on, residential schools were in the control of the Roman Catholic and Anglican Churches.

"The Role of the Churches," Facing History and Ourselves. Accessed March 6, 2021.
<https://www.facinghistory.org/stolen-lives-indigenous-peoples-canada-and-indian-residential-schools/chapter-3/role-churches>



Image source: <https://www.bac-lac.gc.ca/eng/discover/aboriginal-heritage/Pages/residential-schools-photo-sets-on.aspx?wbdisable=true>

KEY ACTORS

DR. PETER HENDERSON BRYCE

Dr. Peter Henderson Bryce was a physician and public health official who is most remembered for his efforts to expose the Canadian government's suppression of information on the health of Indigenous peoples. In 1907, he submitted a report on IRS in Manitoba and the Northwest Territories, which drew attention to the high death rates at the schools. The report, however, was not published by the Department of Indian Affairs. In his pamphlet, *The Story of a National Crime*, published in 1922, Bryce puts forth that Duncan Campbell Scott and the ministry of Indian Affairs neglected Indigenous health needs and notes a "criminal disregard for treaty pledges."

Smith, Maximillian, "Peter Henderson Bryce." The Canadian Encyclopedia. December 12, 2007.

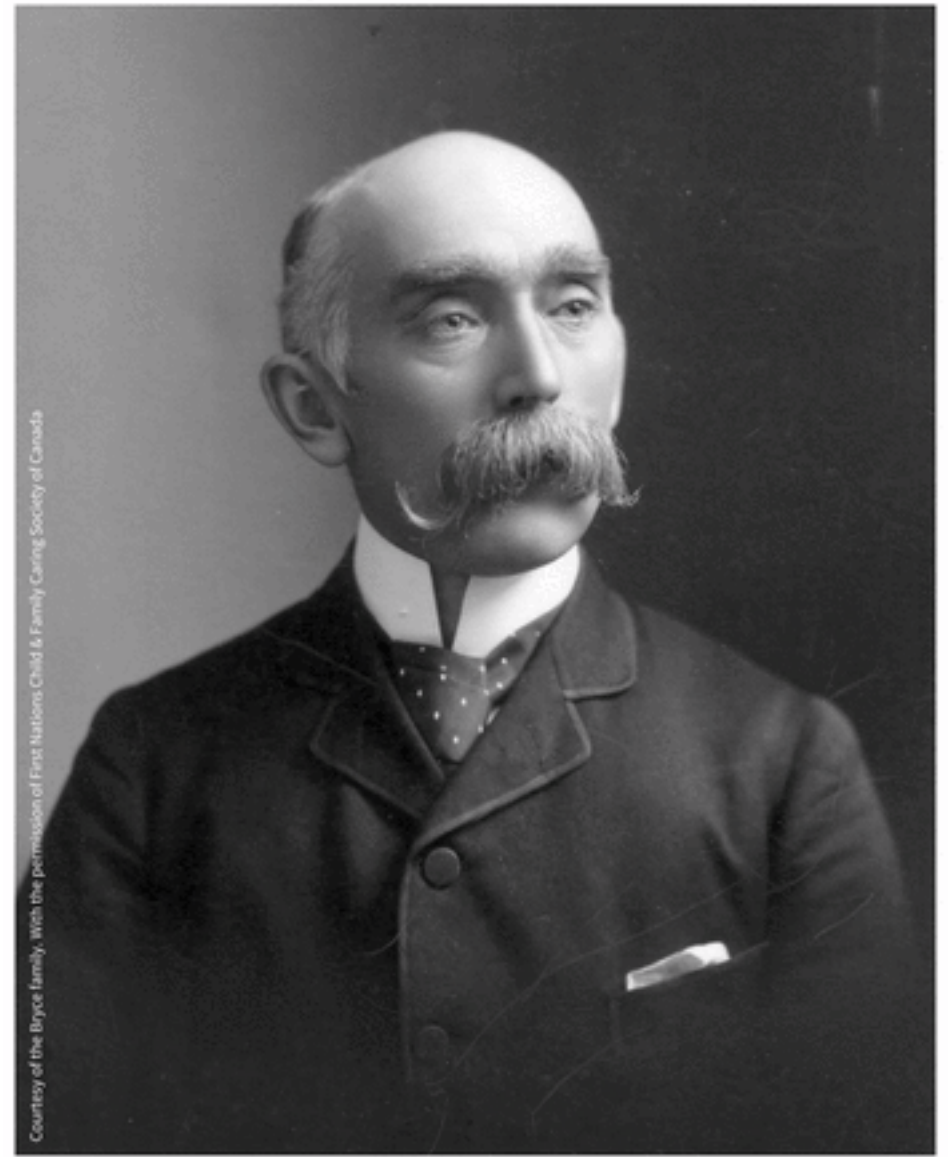


Image source:

<https://www.cmaj.ca/content/192/9/E223>

PHIL FONTAINE

Former National Chief of the Assembly of First Nations Larry Phillip Fontaine is an advocate for Canada's Indigenous peoples. In 1990, Fontaine was one of the first people to speak about the abuse he endured in the IRS system, encouraging other Survivors to come forward. His advocacy aided the establishment of Canada's TRC, and has since launched a civic action campaign, Recognition2Action, which aims to educate Canadians about the role of Indigenous people in the founding of Canada.

Hannah James, "Three Things You Should Know About Phil Fontaine." University of Toronto News, June 9, 2017.



Image source:

<https://news.umanitoba.ca/reconciliation-nation/>

LEGACIES OF THE IRS SYSTEM

The legacies of the IRS system continue to this day. The system has not only affected Survivors, but continues to impact Survivors' partners, their children, their grandchildren, their families, and their communities [5]. The final report on the TRC states that many children who were abused in the schools sometimes went on to abuse others, many Survivors developed addictions, and many students who were treated like prisoners graduated to real prisons [6].

Because of the IRS experience, the Sixties Scoop, and prejudicial attitudes toward Aboriginal parenting skills and a tendency to see Aboriginal poverty as a symptom of neglect rather than government policy, apprehension among Indigenous people is greatly disproportionate [7]. According to the final report on the TRC, Canada's child welfare system has perpetuated the assimilation of Indigenous Canadians [8].

The final report on the TRC also cites various areas affected by the legacies of the IRS system:

- Child welfare
- Education and the income gap
- Language and culture
- Health
- Justice

While these areas greatly affect Indigenous Canadians currently, the federal government attempted to improve them through the TRC.

[5] Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*. Winnipeg: Truth and Reconciliation Commission of Canada, 2015: 136.

[6] Ibid.

[7] Ibid, 138.

[8] Ibid.

RECONCILIATION PROCESS AND MANDATE

Canada's history of colonialism and assimilation has left deep scars on Indigenous Canadians and has damaged the relationship between Aboriginal and non-Aboriginal peoples. While reconciliation began in the 1980s with church apologies for their treatment of Indigenous peoples, the process of healing is ongoing [9]. To the Commission, "reconciliation" is not about righting past wrongs, but establishing a respectful relationship between Aboriginal and non-Aboriginal peoples in Canada [10]. In 1996, the *Report of the Royal Commission on Aboriginal Peoples* stressed the need for a process of reconciliation, changing the national conversation about the realities of Indigenous Canadians.

The TRC, which began its work in 2008, began a process through which the Church and state would attempt to mend their relationships and remedy their abuses of Indigenous Canadians. The Commission focused on witness testimony and Survivor trauma to frame the mandate and educate non-Indigenous Canadians. The statement-gathering was conducted at national events, at which Survivors would share their experiences in the IRS system [11]. Compensation was provided to Survivors based upon their time spent in the IRS system, which, historian Ronald Niezen suggests, "renders the victimization of children into a dollar amount and a cheque in the mail." [12] This sentiment is shared by scholars Ravi de Costa and John Milloy, who question the operationalization of the TRC in terms of implementing change in the long term [13].

[9] Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*. Winnipeg: Truth and Reconciliation Commission of Canada, 2015: 183.

[10] Truth and Reconciliation Commission of Canada, *What We Have Learned: Principles of Truth and Reconciliation*. Winnipeg: Truth and Reconciliation Commission of Canada, 2015: 113.

[11] Niezen, *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools*, 3.

[12] Ibid, 45.

[13] Ravi de Costa, "Discursive Institutions in Non-transitional Societies: The Truth and Reconciliation Commission of Canada." *International Political Science Review* 38, no. 2 (2017): 186; John Milloy, "Doing Public History in Canada's Truth and Reconciliation Commission." *The Public Historian* 35, no. 4 (2013): 24.

In its 2012 *Interim Report*, the Commission recommended that federal, provincial, and territorial governments must explore the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation [14]. In the Principles of Truth and Reconciliation, the Commission states that the following principles will assist Canadians:

1. The United Nations Declaration on the Rights of Indigenous Peoples is the framework for reconciliation at all levels and across all sectors of Canadian society.
2. First Nations, Inuit, and Métis peoples, as the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected.
3. Reconciliation is a process of healing of relationships that requires public truth sharing, apology, and commemoration that acknowledge and redress past harms.
4. Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples' education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity.
5. Reconciliation must create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians.
6. All Canadians, as Treaty peoples, share responsibility for establishing and maintaining mutually respectful relationships.
7. The perspectives and understandings of Aboriginal Elders and Traditional Knowledge Keepers of the ethics, concepts, and practices of reconciliation are vital to long-term reconciliation.
8. Supporting Aboriginal peoples' cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential.
9. Reconciliation requires political will, joint leadership, trust building, accountability, and transparency, as well as a substantial investment of resources.
10. Reconciliation requires sustained public education and dialogue, including youth engagement, about the history and legacy of residential schools, Treaties, and Aboriginal rights, as well as the historical and contemporary contributions of Aboriginal peoples to Canadian society [15].

In 2015, the TRC concluded its process and reported that the assimilation of Indigenous Canadians through the IRS system was a form of cultural genocide.

[14] Truth and Reconciliation Commission of Canada, *What We Have Learned: Principles of Truth and Reconciliation*. Winnipeg: Truth and Reconciliation Commission of Canada, 2015: 125.

[15] *Ibid*, 125-26.

SCHOLARLY DISCOURSE

Scholars such as Ronald Niezen, Ravi de Costa, and John Milloy critique the TRC for varying reasons. Niezen's book titled *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools* emphasizes the exclusions of types of witnesses – such as perpetrators or those with a 'lesser' trauma – that, in his opinion, hindered the authenticity of the process and mandate. De Costa's article titled "Discursive Institutions in Non-Transitional Societies: The Truth and Reconciliation Commission of Canada" analyzes the Commission's failure to mobilize Canadians as a result of the Commission's inadequacy and the subjectivity of historical truth, stating that while the TRC did raise some level awareness among Canadians, it was not enough. John Milloy, who worked as the Director of Research and Report Writing for the Commission in 2010, places direct blame on the federal government for the shortcomings of the TRC, citing its inadequate budget and broad mandate despite a short time frame [16]. Milloy emphasizes that Survivor compensation has been minimal and technical issues diminished the TRC's research, which the federal government has not fully digitized – defying the TRC's mandate to inform and educate Canadians on the horrors of the IRS system.

[16] John Milloy, "Doing Public History in Canada's Truth and Reconciliation Commission." *The Public Historian* 35, no. 4 (2013): 13.

CONCLUSION

The final report of the TRC emphasizes the damaged relationship between Indigenous and non-Indigenous Canadians, citing areas in which Canada and non-Indigenous Canadians must improve to achieve an equitable society. Due to the nature of the abuse in the IRS system, many critiques of the TRC suggest that the Commission's approach was problematic. Professor Glen Coulthard, a member of the Yellowknives Dene First Nation, argues in his book titled *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* that the Commission's framing of the IRS system as a historical event failed to consider ongoing colonialism and oppression in Canada [17]. This sentiment is shared by Professor Brian Rice, a member of the Mohawk nation, as well as Anna Snyder, who claim that the IRS system was only one aspect of the genocide and assimilation, and therefore the teleological approach of the Commission failed to achieve what it set out to accomplish [18].

Upon concluding the TRC process, the National Centre for Truth and Reconciliation, an archive to hold the research, was established at the University of Manitoba. It opened to the public in 2015 and holds over 5 million documents regarding the legacy of the Canadian IRS system.

[17] Glen Sean Coulthard and Taiaiake Alfred. *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. University of Minnesota Press, 2014: 125.

[18] Shelagh Rogers, Mike DeGagné and Jonathan Dewar. *Speaking My Truth: Reflections on Reconciliation and Residential School*. Legacy of Hope Foundation, 2012: 51.

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