

Truth and Reconciliation Commission of Canada

“For the child taken, for the parent left behind”

Meeting of the Council of Ministers of Education, Canada

Speech by The Honourable Justice Murray Sinclair

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Halifax, N.S.

CHECK AGAINST DELIVERY

Good morning everyone – ministers and deputy ministers, all of you here today who are dedicated to tackling the challenges faced by education authorities across this country. Thank you for agreeing to start your day earlier than originally scheduled.

I am Justice Murray Sinclair, the Chair of the Truth and Reconciliation Commission of Canada. With me is my colleague and fellow commissioner, Dr. Marie Wilson. I don't want to spend too much time talking about the actual work of the commission or the history of the Indian Residential Schools – because I am working on the premise that you all have taken the time to become familiar with the documents that were circulated to you in May: the Interim Report of the TRC, released publicly in February of this year, and *They Came for the Children*, the TRC's well researched and readable history of the Indian Residential School system in Canada.

I will however, take the time to remind you briefly of the origins of the TRC, its mandate, and the timeframe that we are working within:

- The TRC was formed as a result of the largest class action lawsuit in the history of Canada. It is an entity created by the court-approved Indian Residential School Settlement Agreement reached in 2007. The Settlement Agreement involves several Parties including the Government of Canada; Catholic and Protestant Churches; and the Survivors themselves.
- You need to keep in mind that not all schools attended by Aboriginal people over the years are included in the Agreement. 140 schools are listed in the Agreement, and there is a provision to ask for others to be added. Canada takes the position that only those schools where children resided and where it jointly or primarily managed the residential part of the school can be added. Requests have been made to add over 1,400 more schools to the Agreement but Canada has agreed to add only two, and in addition, the court has ordered that two more be added. This has created a significant class of former students excluded from the Agreement and its compensation processes, although we have included them in our processes. As a Commission, we take the view that, to be effective, any process of

reconciliation must include all Aboriginal and non-Aboriginal persons in Canada. However, the road to reconciliation will not be easy so long as so many continue to feel similarly aggrieved without having their grievances recognized.

- When I say that the Settlement Agreement created the Commission, I mean that it exists because the Survivors wanted it. They agreed to set aside \$60 million of their compensation fund for the Commission's purposes and to ask the Commission to complete its work within five years. Our court-approved mandate ends on July 1, 2014, two years from now. The timeline is short, but given the average age of survivors at the time of its negotiation, time was of the essence.
- The first obligation of the commission is to reveal to Canadians the true and complete story of residential schools. Our second obligation is to inspire and guide a process of healing and reconciliation in this country. Certain rights of the Commission and duties of the Parties are identified in the Agreement to clarify and facilitate those obligations.

As you will know from reading the recommendations in our Interim Report, the TRC is, in many ways, all about education. We have been directed to investigate the federal government's educational system for First Nations, Inuit and Metis children system that was in place for over 125 years. Educational initiatives are implied in that part of our mandate which requires us to reveal to Canadians the true and complete story of that system. The story of the schools, in an obvious sense, is a story about educational policies and institutions.

We are governed in our approach to reconciliation with this thought: the way that we have been educated in this country – Aboriginal children in residential schools and Aboriginal and non-Aboriginal children in public and other schools – has brought us to where we are today. This is so, not just in terms of what was taught (or not taught) about residential schools, but also in terms of what Aboriginal and non-Aboriginal people were taught about each other. It is our view that, in broad terms, education has brought us to the current state of relations between Aboriginal and non-Aboriginal peoples in this country, but education holds the key to making things better.

We know that making things better will not happen overnight. It will take generations. It will take *concerted effort* over a number of generations. That's how the damage was created and that's how the damage will be fixed. But the work we all do will immeasurably strengthen the social fabric of Canada.

Even in an era of fiscal restraint, when spending more money faces constant challenges, much of what we need to do can be accomplished. It starts with examining what you're doing with what you have.

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I'm sure you have heard many stories about the horrific abuse some have suffered at the hands of those who ran the schools. I am sure as well that you know that most children were *not* physically and sexually abused in the schools. Statistics bear that out. Of the 80,000 claimants for Common Experience Payments paid for merely attending the schools, it's anticipated that about 25,000 to 30,000 are eligible to file claims for serious injury arising from an act of abuse. However, the climate of fear, loneliness, hostility and oppression would have been enough to cause enormous personal damage especially when combined with the long-term

institutionalization, and isolation from family, that were the hallmarks of most of the schools.

You also are aware that the schools have closed and no longer are in operation and that this has been so for at least one generation. In fact, Canada's Indian Residential Schools had pretty much closed by the 1980s, but I want to assure you, if it isn't already obvious, that the legacy of those schools is very much alive. It lives on in the daily experiences of the survivors in this country who attended the schools. It lives on in their attitudes about themselves and in the opportunities that are and are not open to them. It lives on in their children who do not know their languages, or their cultures, and who may never have learned to parent properly because they were denied the chance to observe and receive positive parenting from their own parents, or to participate in any kind of normal family life. And it lives on in the children of those children.

It lives on in the attitudes and the ignorance of Canadians of my generation and younger generations as well, who have received the accepted teachings and prejudices of our day. A great accumulation of damage has been done to Aboriginal cultures, languages, families and communities. A great deal of damage has

also been done to the relationship between Aboriginal people and all other Canadians.

Part of what the Truth and Reconciliation Commission does, as you will know, is to travel across Canada to listen to the public statements of residential school survivors and their children – the intergenerational survivors, as we call them. We have also heard from many who worked in the schools. Our intent is to tell a balanced story. Some of the statements are very, very moving. These are public events, of course, and the public – a certain portion, at least – is interested... riveted, I would say. We have visited hundreds of communities so far and we have heard thousands of statements. In almost every community where non-Aboriginal persons have been in the audience, someone, sometimes several people, have come up to me and said, “I didn’t know. I really didn’t know. I attended primary school in this province, high school, university even, and I didn’t know. I had my entire schooling in this province and I was never taught a thing about the Indian Residential Schools or the laws that were passed to maintain them.”

Most Canadians have been taught little or nothing about the Indian Residential Schools. But they were probably taught something, one way or another, about the history of Canada and the role of Aboriginal peoples in that history. They were probably taught, for instance, that the history of Canada began “in 1492, when Columbus crossed the ocean blue”.

Penney Clark of the University of British Columbia, writes about representations of Aboriginal People in English Canadian History Textbooks in a book entitled *Teaching the Violent Past: History Education and Reconciliation*. Dr. Clark divides the treatment of Aboriginal peoples in textbooks prior to 1970 into six general categories: spectator (basically irrelevant to the main narrative of the text); savage warriors; uniquely spiritual; problem; protestor; and invisible. Nation-building has been the main theme of Canada’s history curricula for a long time, and Aboriginal people, except for a few notable exceptions trotted out as if to prove the rule, have been portrayed as bystanders, if not obstacles, to the enterprise of nation-building.

Dr. Ken Osborne is a former professor of education at the University of Manitoba. His specialty is the teaching of history,

and he is writing a book about the history of the teaching of history in Canada. I'd like to quote from his unpublished manuscript:

In both English language and French-language textbooks the First Nations were typically assigned the textbook equivalent of a reserve: a segregated first chapter of a quasi-ethnographic nature in which they appeared to live in a timeless past that was now outdated and best forgotten. Before the 1970s, textbooks overwhelmingly saw Canadian history as beginning with the arrival of Europeans in North America. With the arrival of Europeans, the First Nations made an occasional cameo appearance in the early history of New France, in the context of the fur trade, briefly in the War of 1812, and finally as an obstacle to European settlement of the West.

“Totally lost,” he writes, “was any sense of Aboriginal culture as a successful adaptation to the physical environment and of Aboriginal life as self-sustaining and self-sufficient in its own terms.”

Dr. Osborne goes on: “Europeans had religion; Aboriginal peoples had superstitions and ‘strange ideas about the things around them.’

Europeans held ceremonies; Aboriginal people indulged in orgies. Europeans had technology; Aboriginal peoples used crude inventions. Europeans had doctors; Aboriginal peoples had medicine men who worked their cures, quote, ‘by beating drums, dancing and howling.’”

Why am I referring to academic research into the way Aboriginal peoples were represented in textbooks prior to the 1970s? It’s not just that I and many other Canadians attended school and university in the 1960s and 1970s, before educational authorities began to take their first critical looks at curricula as they relate to Aboriginal peoples.

It’s that it takes a long time and a great deal of concerted effort to turn around damaging public attitudes that were cultivated over decades and even centuries. Mainstream Canadians see the dysfunction of Aboriginal communities but they have no idea how that happened, what caused it, or how government contributed to that reality through the residential school policy. In that environment, it becomes easy to blame Aboriginal people for their lot in life, and for their failure to overcome it as others have.

So, I want to say something about the current state of education in Canada. I'm aware that there have been genuine attempts to reform what our children – Aboriginal and non-Aboriginal – are taught about Aboriginal peoples in Canada, and even about the Indian Residential School system itself.

The Legacy of Hope Foundation and the Aboriginal Healing Foundation commissioned an extensive environmental scan by Curriculum Services Canada of the curricula being used in Canadian secondary schools. The purpose was to produce a comprehensive picture of how the topic of Indian Residential Schools is included in provincial curricula across Canada, and to identify opportunities for improvement. Curriculum Services Canada published its report in June 2011.

The report concludes that:

- “...the status of curriculum regarding the Indian Residential Schools varies greatly – from recently revised to revision-in-progress to curriculum that is several years old.”

- “In much of the provincial/territorial curriculum, content on residential schools is limited and, if presented, is often a subset of a broad context.”

Now, I don't want to dismiss the “broad context”. The “broad context” is obviously crucial. All students, Aboriginal and non-Aboriginal, need to learn that the history of this country did not begin in 1492, or even with the arrival of Vikings much earlier. They need to learn about the Aboriginal nations that the Europeans met, about their rich linguistic and cultural heritage, about what they felt and thought as they dealt with such historic figures as Champlain, LaVerendrye and the representatives of the Hudson's Bay Company. They need to learn why they negotiated the treaties and that they negotiated with integrity and in good faith. They need to learn about why Aboriginal leaders and elders fight so hard to defend those treaties and what they represent to them and why they were ignored by European settlers or governments. They need to learn about what it means to have inherent rights, what those are for Aboriginal people, and the settler government's obligations, in those areas where treaties were never negotiated in the first place. They need to learn that many of these issues are ongoing and why. They need to learn that the doctrine of discovery – the politically and socially accepted basis for European claims to the land and

riches of this country – has never been accepted in Canadian courts and has been repudiated around the world, recently by the United Nations and the World Council of Churches.

But this is not enough. As I said before, mainstream Canadians see the dysfunction of Aboriginal communities but they have no idea how that happened, what caused it, or how government contributed to that reality through residential schools and the policies and laws in place during their existence. Our education system, through omission or commission, has failed to do that. It bears a large share of the responsibility for the current state of affairs. What our education systems need to do is this: undertake to teach Aboriginal and non-Aboriginal children – *our* children – how to speak to and about each other in the future. Reconciliation is all about respect.

There are a couple of points that I want to make before I conclude:

I want to draw your attention to the display that has been set up here by the Legacy of Hope. The Legacy of Hope has developed a comprehensive, high-quality curriculum package that I want to commend to you. Its focus is on the inclusion of residential schools

in educational curricula; it is a strong beginning to the development of important initiatives.

I also would like to acknowledge that some jurisdictions have developed curriculum packages concerning Indian Residential Schools. Manitoba is piloting an initiative for middle-school years. Curriculum material on residential schools is also offered in B.C. schools.

Alberta teaches residential schools as a sub-topic of its mandatory social studies curriculum. The Northwest Territories has recently developed and focus-tested its curriculum on the residential schools. It will be implemented this coming school year as part of Grade 10 Northern Studies, which is a compulsory course.

Nunavut has been co-developing this unit for use in its compulsory curriculum as part of a tripartite agreement with NWT and the Legacy of Hope Foundation. In Manitoba and Saskatchewan, the task of persuasion was made easier by the efforts of their respective Treaty Commissions; they've been working towards having treaties and treaty-making taught in all schools on the basis that "We are all Treaty People." Manitoba's program for inclusion in grades 9 and 11 social studies was launched just two weeks ago.

While sub-topics such as residential schools and treaties are important, they do need to be seen as a starting point to the development of a comprehensive approach to the inclusion of materials that fully discuss the history of this country, materials that give full and proper respect to Aboriginal people and bring balance to the nature of the historical and current relationships between Aboriginal and non-Aboriginal people in this country.

I do also want to acknowledge the hurdles that all of you face in trying to introduce new curricula:

- There is fierce competition from other subject areas.
- The current pedagogical approach across this country emphasizes critical skill development rather than content knowledge.
- It's expensive to develop materials for use in just one province or territory; economies of scale work against efforts to develop materials that are particularly relevant in a specific jurisdiction.

I acknowledge all of this; I have no interest in making this sound easier than it is.

But here is my concern, and this is the thought I would like to leave you with:

I mentioned the environmental scan done by Curriculum Services Canada on behalf of the Legacy of Hope Foundation and the Aboriginal Healing Foundation, and the curricula that it identified on Aboriginal themes. These programs do exist, as I said earlier. They are typically taught in the senior grades, 10 through 12. No doubt they are developed in good faith and taught with skill and dedication. I hope I have not been too dismissive of them.

But if programs which deal with the experience of Aboriginal people in this country are taught only as electives and not as mandatory in the senior grades, even if they deal extensively and appropriately with the Indian Residential School system and the fallout from it, I expect that I will still be approached in five, 10 or 15 years from now by people saying to me, “You know, I received my elementary, secondary and post-secondary education in this country, and I never heard a single thing about the Indian Residential Schools.”

I invite you to prevent that from happening.

And now I'm going to make my invitation explicit: I am asking you this morning for a commitment to embark on a process that will result in changes in the curricula of your particular province or territory – changes that will ensure that every single child that is educated in the jurisdiction you represent is taught about the Indian Residential Schools in the course of his or her education, that every single child that is educated in your jurisdiction learns about the treatment of Aboriginal people, and the historical relationships between Aboriginal and non-Aboriginal people in this country. I am asking you to establish a timeline for this process, and for a personal commitment to see that this process bears fruit.

Thank you.