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Reconciliation with Residential School Survivors: A Progress Report¹

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In August 1986, at Laurentian University in Sudbury, Ontario, Dr. Bob Smith led a procession of representatives to his church's general council out of their deliberations to a parking lot where Native delegates to the council awaited them. Wearing the alb, the purple stole that symbolizes penitence, Smith, the moderator or elected head of the United Church of Canada, expressed the church's regret for its insensitivity towards indigenous people. "We did not hear you when you shared your visions. In our zeal to tell you of the good news of Jesus Christ we were closed to the value of your spirituality." The moderator also acknowledged that United Church missionaries had "confused Western ways and culture with the depth and breadth and length and height of the gospel of Christ," and had "imposed our civilization as a condition for accepting the gospel." He concluded by "ask[ing] you to forgive us and to walk together with us in the Spirit of Christ so that our peoples may be blessed and God's creation healed."²

The response of the audience to which the apology was directed—First Nations delegates to the church's general council—was revealing. They told the church leaders that their "apology was not accepted." Nevertheless, it was "joyfully received' and acknowledged." The Native delegates erected a stone cairn to commemorate the apology, but, "on the advice of the Elders who felt that time must be given to see how the church lives out the apology," it was "left incomplete."³ The message was clear: when non-Native members of the United Church lived out the apology their leader had articulated, the commemorative cairn would be topped off, and reconciliation would have been achieved within the United Church.

The United Church apology was the first of a series of similar statements from the churches and church agencies that had been involved in Native residential schooling in Canada. In 1991 both the Roman Catholic Church as a national entity and the Oblates, a major missionary order, issued apologies. That same year a "National Meeting on Indian Residential Schools" attended by sixteen bishops, officials from religious organizations, and First Nations Roman Catholics, issued a statement referring specifically to the ills of residential schools. Also in 1991, the Oblates apologized for "the part we played in the cultural, ethnic, linguistic and religious imperialism" that Europeans manifested at contact and later. The Church of England in 1993 apologized for efforts "to remake you in our image, taking

from you your language and the signs of your identity,” while an accompanying statement from the Anglican Primate referred specifically to residential schools as a site of offence. The following year the Presbyterian Church in Canada issued a lengthy “Confession” that apologized for cooperating with “the stated policy of the Government of Canada [that] was to assimilate Aboriginal peoples to the dominant culture,” while also making direct reference to residential schools. And, finally, the United Church issued another apology in 1998 that referred to “the pain and suffering that our church’s involvement in the Indian Residential School system has caused.”⁴

The Canadian churches’ progress in making amends over misguided missionary activity, including residential schools, epitomizes the country’s experience dealing with the legacy of abuse that Canada’s residential schools left behind when they were phased out in the last three decades of the twentieth century. The schools, typical of similar institutions in the United States and New Zealand,⁵ had been instituted in the 1880s as the young Dominion of Canada groped its way towards a comprehensive schooling policy for First Nations children.⁶ Though little acknowledged then or since, the new system that the federal government announced in 1883 was built on and co-existed with older boarding schools and a number of day schools. The government initiative in the 1880s, however, emphasized three new industrial schools in the prairie region that were expected to be larger, better funded, and more pedagogically ambitious than the existing boarding schools. Slowly the system of schools spread through the West, including British Columbia from the 1890s onward, and then to the North, northern Ontario, and eventually northern Quebec, and one eastern school in Nova Scotia. From 1883 until 1923 Ottawa recognized both the new “industrial” schools and smaller boarding schools, but after forty years of the new policy the differences between the two systems had shrunk to insignificance. From 1923 onward the federal government spoke simply of residential schools and day schools that it provided for Aboriginal—especially First Nations—students. In 1969 the Liberal government of Pierre Elliott Trudeau announced that the residential schools would be phased out. That process took another quarter-century, and involved the stopgap arrangement of Native hostels in some locations, especially in the North, where children resided while attending government day schools.

Several factors complicate the history of Native residential schools in Canada and largely account for the complex and noxious legacy they left behind. One such consideration was that the institutions were run, not as secular schools by the federal government itself, but as denominational facilities operated by the missionary arms of four Christian denominations. The largest player in the residential school story was a variety of Roman Catholic agencies, the principal among them being the male missionary order known as the Oblates of Mary Immaculate, or, more simply, the Oblates. The Oblates, Jesuits, Sisters of Saint Anne, Grey Nuns, and several other female religious bodies operated approximately 60 percent of the residential schools that were authorized by the federal government and run by

church bodies. The Roman Catholic Church itself, represented by the hierarchy of bishops and archbishops (known formally from the late twentieth century as the Canadian Conference of Catholic Bishops), was not directly involved in school operations, although the bishops often served as lobbyists on behalf of their missionary brothers and sisters in Ottawa. About one-third of the schools had their day-to-day affairs supervised by the Church of England in Canada directly, or in one instance by the New England Company. The rest of the schools were under the control of the Methodists and Presbyterians. When the Methodists and most of the Presbyterians joined with the Congregationalists to form the United Church of Canada in 1925, most of the formerly Presbyterian institutions became United Church schools, although two continued to be directed by the independent Presbyterian Church of Canada.

The shared authority of church and state contributed to the systemic neglect that exacerbated the school experience for Native children. The dual leadership tended to diffuse oversight and responsibility, and provide a convenient excuse when things went wrong. The official approach was that the federal government's Department of Indian Affairs authorized the creation of a residential school, determined the maximum enrolment for which it would pay financial support, approved churches' nominations of principals and other staff, and inspected the schools to ensure they were observing the approved curriculum and looking after the children adequately. According to this official view, the churches recruited and nominated staff, supplemented government funds (which were never sufficient) with their own contributions, and provided day-to-day operation of the schools. The reality was depressingly different. Churches lobbied to get new schools approved and deficient schools maintained on the approved list. In effect, they selected their own academic and child care staffs because government rarely disallowed a church's suggestions. The result was that the missionary bodies were permitted to staff the classrooms with individuals who often did not have adequate—or, sometimes, any—pedagogical training. The most common rationale for this practice was that “a missionary spirit” was more important than a teachers' college certificate. The unstated additional reason was that those with “a missionary spirit” were prepared to work for lower wages than academically trained and approved teachers were. Finally, the Department of Indian Affairs' oversight duty was not adequately discharged, with the result that performance in both classroom instruction and child care was often substandard. In a regime of shared responsibility, sometimes no one was properly in charge and responsible.

The other major complication with the schools' administrative set-up was that the separation of principal funding and operating responsibilities invited systematic underfunding and resulting negligence. Very soon after a formal system of custodial schools was established in the 1880s, the federal government became disillusioned with the institutions. It quickly became clear that the schools were not producing the results desired, that they were far more costly than anticipated, and that neither Native nor non-Native communities were well-disposed towards

them. From the government's point of view, the fact that those who completed their studies at residential schools had great difficulty securing employment in the mainstream economy was particularly damning. The government responded to these disappointments in two ways, one of which had ominous implications for residential school students. In 1892 the Department of Indian Affairs initiated a long history of limiting government funding of the schools by shifting funding from an accountable costs basis to a per capita subsidy arrangement. A combination of per capita grants and government-controlled pupilage, the officially approved maximum enrolment, meant that Ottawa had powerful instruments to limit spending on schools. It employed those instruments to hold down its share of costs, and in times of difficulty, such as the World Wars and the Great Depression of the 1930s, the government could easily cut financial obligations by reducing the per capita grant. In times of inflation the government could similarly resist increasing the grant. The financial framework within which the schools operated guaranteed that there would be negative consequences that fell directly on the students. The per capita system was eliminated in the late 1950s.

When per capita grants from the Department of Indian Affairs declined in real terms, the missionary organizations that operated the residential schools had only a few choices. One avenue for seeking relief was to raise more voluntary contributions from the churches of which they were a part. Over time, particularly in the twentieth century, enthusiasm for the missions and schools within Canada declined. Another option, one that churches could and did implement, was to increase the "subsidy" that students provided by extracting more labour from them to keep the school running and to raise funds through the sale of school-produced goods, principally agricultural products. Taking this route, however, courted the danger of impairing the students' opportunities to learn their academic subjects and of creating a regime that wore on them physically. Another response that churches employed, particularly prior to the Great War, was to admit students whose health should have precluded them from attendance in order to keep student numbers up to the pupilage, or maximum approved enrolment. With the connivance of cooperative doctors and the willful blindness of government inspectors, tubercular students were admitted to the schools, with resulting health dangers for all. This course of action, regrettable as it was, was frequently taken. Finally, another institutional response was to reduce the amount of paid labour in the schools, especially in periods—such as the era of the Korean War (early 1950s)—when inflation and heavy demand for workers made it hard to recruit missionary workers anyway. This response reduced the burden of operating expenses that the missionary bodies bore, but it exposed students to grave dangers.

The combination of reductions in paid help and lax governmental oversight created an environment in which neglect and abuse flourished. It is these conditions that largely account for well-documented problems with student diet, deficient health care, poor clothing, and usually nonexistent recreational facilities. In such a setting it was all too easy for teachers and dormitory supervisors, often

badly overworked themselves, to use severe corporal punishment on the students. When excessive discipline was combined, as it unfortunately all too often was, with evangelical messages that denigrated Aboriginal spirituality and identity, the result was young people whose identity, sense of self worth, and confidence were devastated. Finally, as is notorious, the schools also became host to a number of sexual predators who exploited their authority and the government and churches' lax oversight to indulge their appetites. While a considerable portion of the sexual abuse for which Canada's residential schools are now infamous was inflicted on students by older students, in all cases of such abuse the schools and their staffs bore responsibility. If the missionary organizations and government were not culpable for failing to screen staff carefully to eliminate such miscreants, they and their agents in the schools were liable for not providing adequate supervision that would have reduced the amount of student-on-student abuse as well. It is the problems of physical and sexual abuse in residential schools that have belatedly led to a governmental attempt at reconciliation.

For a number of easily understood reasons it took a long time for victims of residential school abuse to disclose what had happened to them. Some former students have explained that they could not tell their parents about sexual abuse in particular because sexual matters were never discussed in their homes. Conversation about such matters was not considered decent. Others have said that they feared to report what missionary workers had done because those school officials were viewed as "holy" people by members of their community. Victims of physical abuse could and did, however, talk about their suffering, often with quick and decisive reaction from their community. A recurring pattern in the history of some individual schools was an initial positive response when a school was created, followed within a few years by resistance—mainly in the form of official protests and attempts to withhold their children—once the syndrome of overwork and physical mistreatment became known. Most First Nations were not opposed to schooling as such, but they were strongly against abusive pedagogy that victimized their children. Former students and their families protested physical mistreatment when and where they could, but sexual abuse remained for a long time a secret confined to the ranks of former students. As Phil Fontaine, at the time head of the Assembly of Manitoba Chiefs, explained in 1990, when a group of former students got together to talk about their school experiences, "we end up joking and laughing about what we experienced. I think that's essentially a way of avoiding a sense of embarrassment and shame one feels. It's safe, face-saving; and it's really a form of protection."⁷

The conversation in which Chief Fontaine made those comments was part of a series of events in 1990 that blew the residential school abuse scandal—and many other results of government Indian policy—wide open. In the summer of that year a seventy-seven-day standoff between Mohawk and first provincial police, and later Canadian armed forces, at Oka, Quebec, cast a pitiless spotlight on the Canadian government's handling of relations with First Nations. The Oka Crisis,

as it became known, simultaneously threw the Conservative government of Brian Mulroney on the defensive and galvanized First Nations across the country to take united action to protest what was happening at Oka and demand better treatment. The federal government responded with gestures of appeasement, such as easing restrictions on its land claims adjudication process, and also by promising to create a Royal Commission on Aboriginal Peoples (RCAP) to investigate federal policies and their impact. Chief Fontaine's individual response was to meet with Christian church leaders in Winnipeg to disclose to them that he had been a victim of physical and sexual abuse at a Roman Catholic school in Manitoba, and to ask them to agree to a public inquiry into residential school abuse. As well, in the attendant publicity he revealed to a national television audience the same facts.

Fontaine's disclosure guaranteed that residential school abuse would be one of the topics that the RCAP tackled between 1992 and 1996, but the wide-ranging nature of its mandate ensured that residential schooling and its problems would receive less coverage than many felt it should given the serious problems associated with the schools. As newspaper reports at the time indicated, during several of the community hearings that the commissioners held, former students came forward to testify that they had been abused by having their identity and beliefs ridiculed, by physical mistreatment, and sometimes by sexual abuse. The commission's *Final Report* included a lengthy, hard-hitting chapter on residential schools that highlighted the federal government's failure to provide the oversight and funding that would have ensured that students were properly treated, and recommended that "the government of Canada establish a public inquiry."⁸ When the federal government eventually responded to the RCAP *Final Report* in January 1998 with *Gathering Strength: Canada's Aboriginal Action Plan*, it included a Statement of Reconciliation. At a press conference to release *Gathering Strength*, Indian Affairs Minister Jane Stewart spoke directly to victims of residential school abuse: "We wish to emphasize that what you experienced was not your fault and should never have happened. To those of you who suffered this tragedy at residential schools, we are deeply sorry." She also announced the creation of a \$350-million Aboriginal Healing Foundation. There was, however, no mention at all of a public inquiry into residential schools, the policies that had underlain them, or the consequences of those policies.⁹

Following the 1998 Statement of Reconciliation the trickle of litigation over abuse in the schools turned into a flood. Former students launched civil suits for damages in large numbers, alleging that they had been the victims of physical and sexual abuse, general neglect, and loss of culture and language. This litigation would amount to some 13,400 individual suits by March 2005, and several legal firms also initiated a series of class actions purporting to speak for all students who had attended a specific school or, in one case, for all former residential school students. The largest of these class actions, known as the Baxter National Class Action, involved nineteen legal firms claiming to represent 90,000 survivors across Canada and seeking twelve billion dollars. The class actions and individual

suits combined to put enormous pressure on both the churches and the federal government.

The strain on the churches manifested itself in various parts of the denominations' structures. One common result was an enormous increase in the demands for access to the churches' and religious orders' archives, as litigating lawyers and their research assistants sought documentation to support their claims. For the denominations the financial burden of enhanced archival services and legal fees also caused serious problems. By 2005 one Anglican diocese in British Columbia declared bankruptcy and another in Saskatchewan reported itself on the brink of insolvency. Roman Catholics presented a unique case because of their church structure. The national governing body, the Canadian Conference of Catholic Bishops, pointed out that it and its predecessors had not run any residential schools, and referred potential litigants to religious orders such as the Oblates. The Oblates in turn found themselves extremely hard-pressed, especially in their western interior province, which had been the location of a large number of schools. Even more serious, of course, were the pains of conscience that church adherents from coast to coast felt.

The federal government's response went through several stages. Initially, the Government of Canada fought the legal actions by "third-partying" (i.e., cross-suing) the churches that had operated the schools. That phase, which consumed several years, culminated in court rulings that found both government and churches liable for damages, roughly in a ratio of seventy to thirty (government to churches). Two high-profile criminal prosecutions of abusers at the Gordon Residential School in Saskatchewan and the Alberni Residential School in British Columbia paved the way for settlement of claims with individuals from the two schools in which the convicted predators had worked. In cases where criminal convictions were secured the government paid out compensation to claimants fairly quickly, dealing with each survivor on a case-by-case basis.

Ottawa's response entered a new phase in 2001, when the government established a new department, Indian Residential Schools Resolution Canada (IRSRC). Initially, the new agency carried on with litigation business as usual, but in 2003 it introduced a dispute resolution (DR) program intended to reduce the burden on the courts by resolving some of the pending cases by adjudication. The DR model proved enormously complicated and politically unsuccessful. Under this model, claimants who were alleging physical abuse, sexual abuse, and/or wrongful confinement could enter a voluntary process that was less formal than court procedures. One of the two categories within DR, Model A, was designed to deal with sexual abuse and with physical abuse that resulted in injuries lasting more than six weeks. Model B was for more minor cases of physical abuse, as well as wrongful confinement. Claims under DR that were upheld would result in payments of 70 percent of the amount awarded by the government, leaving the claimant to seek the other 30 percent from the church body involved. (Students from a minority of schools—any Anglican- or Presbyterian-run institution, the Oblate Lejac Indian

Residential School in northern British Columbia, or the boys' or girls' Catholic schools at Spanish, Ontario—who were successful would receive 100 percent of their award from the government under specially negotiated agreements.)

For a variety of reasons this mechanism never proved acceptable to Aboriginal people, or efficient for government and churches. Claimants under DR faced a number of hurdles. They could claim only for physical and sexual abuse, and at first had to waive any future right to litigate separately for cultural loss.¹⁰ The application form for the process was a daunting thirty-eight pages in length. Offensive to many were the guidelines that adjudicators were required to use in determining the amount of awards. Physical abuse that left a scar was worth ten points and repeated rape earned fifty points, and so on. Although criticized by some as a crude “meat chart,” the guidelines were more complicated and sensitive than that term implied. Adjudicators assessed awards based not just on the severity of the abuse but also on their judgment of the psychological impact the abuse had had. Nonetheless, thanks in part to media coverage, perception trumped reality. The DR scheme was expected to deal with only 15 percent of claimants and cost \$1.7 billion, with more going to administrators and adjudicators than to successful claimants. Finally, in recognition that the courts in different regions of the country had handled awards for damages differently, the DR program set different caps on settlements for various regions of the country. Successful claimants under DR in British Columbia, Ontario, and Yukon would receive up to \$245,000, but in all other jurisdictions the maximum was \$195,000. These various challenges resulted in the DR process being cumbersome, slow moving, and politically controversial.

By 2004 the government, churches, Aboriginal political organizations, and leading lawyers involved in litigation began negotiating a proposed “blanket settlement” potentially for all former students, which became a major component of the Kelowna Accord that was signed in November 2005.¹¹ Although the Kelowna Accord was repudiated by the Conservative Harper government after its electoral victory in early 2006, the lengthening history of failed attempts at dealing with abuse claims and the advancing class action suits provided stimulus to seek a new, comprehensive settlement that would be more viable than the programs the government had developed on its own. The Harper government appointed retired Supreme Court of Canada justice Frank Iacobucci to negotiate a pact with the federal government, legal representatives of former students, and lawyers for the churches.¹²

The settlement reached in May 2006 was more wide-ranging and oriented towards reconciliation than any of the previous attempts at dealing with the legacy of residential schools. The most comprehensive element was a Common Experience Payment (CEP) through which all former students who could prove their attendance would receive ten thousand dollars plus three thousand dollars for each year of residence after the first year. First Nations leader Phil Fontaine of the AFN maintained that this universal provision contained compensation for cultural loss,

even though the government did not want to negotiate that specifically and did not acknowledge it in the agreement.¹³ In addition, those who experienced sexual or “serious physical abuse” could avail themselves of an Independent Assessment Process (IAP)—an enhanced, but largely unchanged, version of the dispute resolution system that would deal with their claims over the next five years. In this process, “compensation through the IAP will be paid at 100% by the Government in all cases, following validation of the claim by an independent adjudicator.” The settlement agreement had to be approved by courts in various regions of Canada, with an opt-out period of five months following court approval, and “since fewer than 5,000 eligible former students opted-out, the Settlement Agreement came into effect on September 19, 2007.”¹⁴

The government had made interim payments to all former students sixty-five or older, with 10,333 of 11,646 claimants receiving an advance payment of eight thousand dollars under this provision.¹⁵ After more controversy about a complicated and lengthy application form, applications to the Common Experience Payment program were accepted from September 19, 2007 on. As of February 2, 2009, 97,371 applications had been received, 92,408 processed (3,036 were reported “in progress,” and another 1,927 required “further information to complete”), 72,274 payments were issued, and 20,134 applications were rejected as ineligible.¹⁶ The average payout under the Common Experience Payment was expected to be approximately twenty-nine thousand dollars.

In many ways the non-monetary provisions (or at least expenditures not involving former students directly) were more interesting and more promising than the Common Experience Payments and the Independent Assessment Process. These other elements included a Truth and Reconciliation Commission, \$20 million for “Commemoration” projects, and “an additional endowment of \$125 million to the Aboriginal Healing Foundation.” The agreement also specified that “the Church entities involved in the administration of Indian Residential Schools will contribute up to a total of \$100 million in cash and services toward healing initiatives.”¹⁷ Several of the churches had long since established programs to assist with healing. Aboriginal leaders also requested that the federal government make a full and formal apology for the residential schools. When the Harper government initially signalled that it would not make an apology, it came under pressure in the House of Commons. After the Commons voted 257–0 to apologize to former residential school students, the Indian Affairs minister backtracked somewhat by saying that the government was not committing itself to make an apology until the Truth and Reconciliation Commission had completed its work. Pressure continued, however, and the Harper government yielded. The autumn 2007 Speech from the Throne announced that the government would make an apology to residential school survivors.¹⁸

During 2008, the Truth and Reconciliation Commission (TRC) attracted a great deal of attention. According to the settlement agreement, the TRC had a budget of sixty million dollars for a five-year mandate “to promote public education and

awareness about the Indian Residential School system and its legacy, as well as provide former students, their families and communities an opportunity to share their Indian Residential School experiences in a safe and culturally appropriate environment.”¹⁹ The commission, to be composed of three commissioners and support staff, would concentrate on two areas: “Over the course of its five year mandate, the TRC will prepare a comprehensive historical record on the policies and operations of the schools,” and leave as its legacy a “research centre . . . that will be a permanent resource for all Canadians on the Indian Residential School.” As well, the TRC would provide a platform for former students and others involved in residential schools to describe their experiences: “The Commission will host seven national events in different regions across Canada to promote awareness and public education about the Indian Residential School system and its impacts.” It would also arrange for people who appeared before it to speak to a commissioner in private if they so chose. The commission would “be an opportunity for people to tell their stories about a significant part of Canadian history, still unknown to most Canadians.”²⁰

The initial appointments to the commission promised a sensitive reception for informants who chose to appear before it. In late April 2008 Judge Harry LaForme of the Ontario Court of Appeal was announced as the chief commissioner, and in mid-May Jane Morley, a lawyer who served as an adjudicator under the earlier reconciliation process, and Claudette Dumont-Smith, a nurse with extensive experience in Aboriginal health matters, joined him to complete the trio of commissioners.²¹ Chief Commissioner LaForme insisted that the aim was not to assign blame, but to create a place for healing and public education. “I believe,” he said, “that if the commission does its work reliably, being faithful to its objectives, we will come out of the Indian residential-school experience enhanced and stronger.”²² The commission initially was expected to begin its public hearings in the autumn of 2008 and complete them within two years. Other tasks, such as compiling a history and supporting commemoration events, were to be spread over the remainder of the TRC’s mandate. The Truth and Reconciliation Commission officially began work on June 1. Delays that were unexplained at first led to an announcement that the first national event the commission would hold would take place early in 2009.

The cause of the revision of plans became clear on October 20 when Chief Commissioner Harry LaForme resigned, citing irreconcilable differences between he and the other two commissioners. He alleged that they refused to accept his authority as chief commissioner, and expected the commission to run by majority vote. As well, he claimed that he was more interested in reconciliation, while his former commissioners were more focused on a search for the truth.²³ The other two commissioners denied that they were more interested in truth than reconciliation, said they expected the commission to operate collegially, and were surprised that LaForme had resigned because they had been under the impression that they were conducting their business reasonably well. A source close to Laforme said that the

former chief commissioner believed there was interference from the Assembly of First Nations, prompting a response from AFN National Chief Phil Fontaine that the parties to the settlement agreement that had established the TRC had never envisaged a commission that would operate in a hierarchical manner. On the latter point he was supported by a spokesman for the United Church of Canada, also party to the settlement.²⁴ On October 29, lawyers for the parties to the settlement met with the two judges who supervised implementation of the settlement, and agreed to meet again during the first week of November.²⁵ Meetings continued over the winter of 2008–09, but at time of writing it is not clear what the short-term future of the Truth and Reconciliation Commission, established amidst such hopes and expectations, will be.²⁶

A more promising development in 2008 was Prime Minister Stephen Harper's apology for residential schools in the House of Commons on June 11, 2008. The government's statement was comprehensive, specifying the types of abuse that had occurred, and stressed the government's culpability for the damage done. All three opposition party leaders also spoke on the occasion, with Liberal leader Stéphane Dion making the point that the Liberals, who had formed government for seventy years of the twentieth century, recognized their responsibility and acknowledged shared culpability for what had occurred. Representatives of the First Nations, Métis, Inuit, and non-status Indian political organizations, as well as the president of the Native Women's Association of Canada, were positive in their responses in the Chamber, emphasizing their appreciation of the apology and focusing on the future.²⁷ In general, Canadians showed a surprising degree of awareness and approval of the government's apology.²⁸ A public opinion survey conducted by Innovative Research Group in the June 11–13 period revealed that 83 percent of respondents were aware of the apology, and of those 71 percent believed that the government should apologize.²⁹ In the short term, at least, the residential school apology seemed to have contributed to the cause of reconciliation.

There have been encouraging signs that effective healing is beginning. One indication is found in the experience of the United Church of Canada, the first of the country's Christian denominations that began to make amends for its mistreatment of First Nations. Church leaders had apologized to Native peoples in 1986 for misguided missionary activities in general, and more specifically in 1998 for the damage that Methodist, Presbyterian, and then United Church schools had done. The United Church was proud of some of the steps it had taken to heal the damage. It had created an All Native Circle Conference for Native congregations, established its own healing fund, begun to explore the integration of indigenous and Christian liturgy and symbols through a "Circle and Cross" process, and taken an active role in the talks among government and various churches on how to respond to Native leaders' demands.³⁰ In August 2005 First Nations United Church representatives assembled again in the same parking lot at Laurentian

University in Sudbury where they had heard the initial apology in 1986. Then they had responded, not with a declaration that they accepted the apology, but with an expression of “joyful” receipt of the gesture. A new moderator, the Rev. Dr. Peter Short, offered the church’s apology again nineteen years later. In response “the various presbyteries and individuals each placed a stone on the cairn and explained why they were adding their stone.” It was because their elders had deliberated and concluded that the United Church had made meaningful efforts to bring about reconciliation. As Moderator Short recalled the occasion, “several stones (‘grandfathers’) were mortared into place as a sign of significant steps that had been taken.”³¹

Over the past two decades Canadians have travelled some distance along the road of reconciliation in an effort, belated perhaps, but an attempt all the same, to make amends for the damage inflicted by the residential schools that Euro-Canadians imposed on Natives. Like other states such as South Africa, New Zealand, and Australia, the North American dominion is trying to advance towards meaningful reconciliation with indigenous peoples. If the forward movement continues, perhaps a new generation of Native adherents to the United Church of Canada will find reason to go to that parking lot in Sudbury and cap off that cairn with the last few stones.

Endnotes

- 1 The research on which this paper is based was funded by a Social Sciences and Humanities Research Council of Canada Standard Research Grant.
- 2 “Apology to First Nations Peoples ([August] 1986),” <www.united-church.ca>, accessed April 25, 2008; *United Church Observer*, October 1986, 6, 8–13
- 3 Rev. Laverne Jacobs, Coordinator, Aboriginal Ministries, United Church of Canada, “Letter from the Rev. Laverne Jacobs,” February 2006, <www.united-church.ca>, accessed April 25, 2008; Donna Sinclair, “Of course we forgive you,” *United Church Observer*, October 1986, 10.
- 4 The various apologies are usefully reproduced in Janet Bavelas, *An Analysis of Formal Apologies by Canadian Churches to First Nations*, Occasional Paper No. 1 of the Centre for Studies in Religion and Society, University of Victoria, (Victoria: University of Victoria, 2004), 20–25.
- 5 Editor’s note: The same type of system was put in place in Australia in the late nineteenth and early twentieth centuries.
- 6 For a history of these schools see J. R. Miller, *Shingwauk’s Vision: A History of Native Residential Schools*, (Toronto: University of Toronto Press, 1996), especially chapters 1–5, 13; and John S. Milloy, *A National Crime: The Canadian Government and the Residential School System, 1879–1986*, (Winnipeg: University of Manitoba Press, 1999), especially parts 1 and 3.
- 7 Phil Fontaine, interviewed by Barbara Frum of CBC Television, October 30, 1990. <www.archives.cbc.ca/politics/parties_leaders/topics_1622>, accessed April 29, 2008.
- 8 Royal Commission on Aboriginal Peoples Final Report, 4 vols, (Ottawa: RCAP, 1996); Vol. One, *Looking Forward, Looking Back*, 385. The commission recommended that such a public inquiry have the power to investigate school policies and the effects of such policies on later generations, and to “conduct public hearings to enable the testimony of affected persons to be heard.” The author of the RCAP chapter on residential schools is historian John Milloy of Trent University.
- 9 Government of Canada, *Gathering Strength: Canada’s Aboriginal Action Plan*, (Ottawa: Government of Canada, 1998), Statement of Reconciliation.
- 10 This waiver provision was removed very quickly, before the DR process got under way.
- 11 Government representatives were not monolithic in their viewpoints. Employees with legal backgrounds tended to favour a blanket settlement, but others, particularly from Indian Affairs, did not. Interview with Shawn Tupper, September 9, 2008. Mr. Tupper was with INAC at the time.
- 12 Phil Fontaine was at the talks, representing his own class action suit. Also present was Charlene Belleau of Alkali Lake, British Columbia.
- 13 Chief Fontaine explained this element of the agreement at a training session for Independent Assessment Process adjudicators in Calgary on November 19, 2007, and following the public session, expanded on it in private conversation with new adjudicators. Shawn Tupper, who was a principal INAC figure in the residential school story from November 1996 until late 2005, agreed with Chief Fontaine’s contention. Interview with Shawn Tupper, Ottawa, June 9, 2008.
- 14 Ibid.
- 15 Indian Residential Schools Resolution Canada, “Settlement Agreement Background.” <www.irsr-rqpi.gc.ca>, accessed April 30, 2008.
- 16 <www.ainc-inac.gc.ca/ai/rqpi/cep/st/index-eng.asp>, accessed March 18, 2009.
- 17 “Settlement Agreement Background.”
- 18 *Globe and Mail* online, March 27, 2007, (refusing an apology); *Globe and Mail*, May 2, 2007 (House of Commons apology); and Speech from the Throne, October 16, 2007, <www.sft.gc.ca>, accessed May 6, 2008.
- 19 “Settlement Agreement Background.”
- 20 Indian Residential Schools Resolution Canada, “What is the Truth and Reconciliation Commission (TRC)?” <www.irsr-rqpi.gc.ca>, accessed April 30, 2008.
- 21 “Truth and Reconciliation Commission to Begin Work on June 1: Canada Announces Final Appointments,” <www.irsr-rqpi.gc.ca>, accessed May 15, 2008; “Meet the TRC Chair and Commissioners,” <www.trc-cvr.ca/en/index.html>, accessed June 23, 2008. Ms. Dumont-

- Smith, an Algonquin from Kitigan Zibi on the Upper Ottawa River, had lengthy experience working in the Aboriginal health field. Ms. Morley, a lawyer trained in Ontario, but working largely in British Columbia, served from 1996–2001 as chair of a panel appointed to recommend compensation for victims of sexual abuse at the Jericho School for the Deaf and Blind. In 2007 she joined the panel of adjudicators for the Independent Assessment Program that is part of the Indian Residential Schools Settlement Agreement. Mr. Laforme, an Anicinabe, of course, is a lawyer and jurist.
- 22 Commissioner LaForme’s comment about not assigning blame was made during a telephone interview with CBC Radio Saskatchewan host, Sheila Coles, on her morning show on April 29, 2008. The other comment was made at a press conference on April 28, and reported in the *Globe and Mail*, April 29, 2008.
- 23 News release of Justice Harry S. LaForme, October 20, 2008. <www.newswire.ca/en/release/archives/October2008/20/67708.html?viewprint>, accessed October 20, 2008.
- 24 *Globe and Mail*, October 21 and 22, 2008; *National Post*, October 25, 2008.
- 25 *Globe and Mail*, October 30, 2008.
- 26 Editor’s note: Indeed, the other two commissioners resigned January 30, 2009.
- 27 Editor’s note: The organizations present included the Assembly of First Nations, Inuit Tapiriit Kanatami, Métis National Council, Native Women’s Association, and the Congress of Aboriginal Peoples.
- 28 These comments are based on my observation of televised events in the House of Commons on June 11, 2008.
- 29 *Globe and Mail*, June 14, 2008.
- 30 United Church of Canada, “Moderator’s Message—A Letter on the 20th Anniversary of the Apology to First Nations,” <www.united-church.ca>, accessed April 25, 2008. In the United Church a “conference” is a territorial designation. A conference includes a number of (usually) regional presbyteries, which in turn are made up of individual congregations. Its general council, which sits atop the various conferences, is the church’s governing body for the country as a whole.
- 31 The first quotation is from “Letter from the Rev. Laverne Jacobs,” February 2006; the second from “Moderator’s Message—A Letter on the 20th Anniversary of the Apology to First Nations.”