

# 19

## Reconciliation and Revitalization

### Chapter Outline

This final chapter concentrates on the most recent events that have impacted Indigenous Peoples in Canada. One of the most important initiatives of the past few years has been the apology made in 2008, by Prime Minister Harper to residential school survivors and their families. This apology came soon after the 2007 agreement to compensate survivors. The Residential Schools Settlement Agreement also resulted in the Truth and Reconciliation Commission, which gathered more than 6000 testimonial statements that now provide a vital historical collection of the residential school experience. Among their ‘Calls to Action,’ the Commission also called for a National Inquiry into Missing and Murdered Indigenous Women and Girls, which was formally announced in December of 2015 by Prime Minister Justin Trudeau.

In spite of the slow pace of positive changes since the apology, there have been other signs of improvements that have taken place in the relationship between Indigenous Peoples and the federal government. The Supreme Court ruling in *Delgamuukw v. British Columbia* affirmed the role of oral history as the best way of overcoming evidentiary shortcomings in the written record, a decision that illuminates the significant role and credibility of oral history overall. The priority of resource allocation that came out of the *Sparrow v. R.* case of 1990 also remains a good example of moving forward, as does the focus on social and economic development, accompanied by meaningful action regarding the duty to consult with Indigenous Peoples on development. In Saskatchewan and Manitoba, the Treaty Land Entitlement process has been particularly successful, with these two provinces accounting for 90 per cent of such transactions as of August 2016. Additionally, in November of 2015, the new Prime Minister, Justin Trudeau, announced full support for the United Nations Declaration on the Rights of Indigenous Peoples, and he gave the Minister of Indigenous and Northern Affairs official mandate to implement it.

In contrast to some of this forward movement, there remain controversies and setbacks. One complex case with a long history is that of the Douglas Creek dispute in Caledonia, Ontario. As of 2017, the Haudenosaunee had again put up barricades to protest the lack of a solution. In 1989, the Sampson Cree Band also took the federal government to court over breach of treaty, trust and fiduciary obligations related to the management of oil and gas revenues on the Pigeon Lake reserve. By 2007, the Federal Court of Appeal held that the Crown was a trustee and had fiduciary obligations, but aside from one dissenting judge, they also ruled that the Crown had acted ‘reasonably.’

Resistance also remains a feature of the relationship. In response to Bill C-45, which proposed, among other things, changes to land, resource and water management on First Nations lands, the recent Idle No More movement is another example of resistance through social action. The movement arose as a

result of a ‘teach-in’ that was planned in response to governance and environmental concerns related to the omnibus bill.

Finally, this chapter concludes with some discussion about the most compelling recent development in the history of Canada’s First Nations, the evolving focus on Indigenous knowledge. With the understanding that language is at the heart of knowledge and its dissemination, there are numerous language immersion programs and Indigenous learning programs that have now taken shape across the country.

## Learning Objectives

- To recognize and understand the steps the Canadian government has taken to address the legacy of residential schools
- To understand the effects residential schools had on its survivors
- To understand the recent initiatives Canada has taken in regard to Indigenous–government relations
- To recognize ongoing disputes in the relationship and the context for continued resistance

## Key Terms, Figures or Sites

**Aboriginal Action Plan** A renewed partnership with Indigenous people and Indigenous organizations to recognize past mistakes and injustices, especially in regard to residential schools, announced by the federal government in January of 1998. This Plan led to an agreement on reparations in 2007 and a formal apology from the Prime Minister in June of 2008 (p. 354).

**Douglas Creek** A real estate development on lands claimed by Haudenosaunee Confederacy on the edge of Caledonia, Ontario, near Brantford and Hamilton, that led to Haudenosaunee occupation of the disputed land and bitter confrontations between Haudenosaunee activists, local residents, and outside agitators. The Ontario government purchased the land from the developer, Henco Industries, in June of 2006, but a final agreement has not been reached (p. 350).

**Gordon, Jessica** (and Idle No More) One of four women who began dialogue with each other over the need to take a stand against Bill C-45, the omnibus bill that proposed, among many other things, changes to land, resource and water management on First Nations lands. Gordon named the movement “Idle No More” as a reminder to “get off the couch and start working.” The movement started as a teach in and the group employed social media to spread their message; from there, people across the prairies were organizing rallies and protests under the banner of Idle No More (p. 363).

**Haldimand Tract** The extent of the Haldimand Grant, from the source of the Grand River north of Grand Valley in southwestern Ontario to its mouth, where it discharges into Lake Erie at Port Maitland, and including six miles (10 km) deep on each side of the river—a total of 2,842,480 acres (1,150,311 ha) (p. 350).

**Independent Assessment Process** Process set up to deal with serious cases of physical and sexual abuse as part of the residential schools reparations policy under the terms of the Indian Residential Schools Settlement Agreement (p. 354).

**Indigenous knowledge** Knowledge derived from Indigenous traditions, such as living on the land in a communal sharing context within nature and expressed through Indigenous languages (p. 362).

**National Inquiry Into Missing and Murdered Indigenous Women and Girls** Launched in response to a “Call for Action” in the report of the Truth and Reconciliation Commission, the Inquiry was established in 2015 and began its work in 2016. Prime Minister Justin Trudeau had promised to launch this Inquiry in the 2015 federal election campaign (p. 358).

**Odjig, Daphne** Often referred to as the driving force behind the Indian Group of Seven, she is one of Canada’s greatest and most influential artists. Although her artistic style is Woodland, she was also heavily influenced by others in the artworld, including Picasso. In 1986, she was invited by the directors of the Picasso Museum in Antibes, France, to paint a memorial to the Spanish master. In addition to being a storyteller, some of Odjig’s art also reflects her strong commitment to political activism. She believed art made the world a better place (p. 364).

**Sinclair, Justice Murray** Ojibwa judge and the chair of the Truth and Reconciliation Commission (p. 353).

***Sparrow v. R.*** Supreme Court case in 1987 in which the court ruled in favour of a Salish man of the Musqueam Band who had used a fishing net larger than allowed by law. The Court found that Aboriginal fishing, land, and hunting rights for food, social, and ceremonial purposes had priority over later restrictive legislation (p. 347).

**Truth and Reconciliation Commission of Canada** Commission established in 2008 and chaired by Justice Murray Sinclair from 2009, which completed its community hearings and special events in 2014. The Commission mandate was to discover the truth regarding the damages done by the residential schools and, by publicizing its mission and work, to seek reconciliation between Indigenous communities and Canadian governments and the broader Canadian public, as well as within Indigenous communities. The Commission made 94 “Calls to Action” in its report (p. 353).

## Study Questions

1. While many Indigenous Peoples welcomed Stephen Harper’s apology for residential schools, what criticisms did it receive?
2. What is treaty land entitlement and which provinces have made the most progress in this area?
3. What are the benefits of the admissibility of oral history in Canada’s courts?
4. What is the history of the Caledonia Land Claims?
5. What is the Haldimand Tract?

6. What is the history of the Samson Cree litigation regarding oil and gas royalties?
7. What is the Residential Schools Settlement Agreement and what is its purpose?
8. What is the Indian Residential Schools Truth and Reconciliation Commission?
9. What is the Independent Assessment Process?
10. Why was Gord Downie honoured with a special blanket ceremony and given a Lakhóta spirit name?
11. When and why was the “National Inquiry into Missing and Murdered Indigenous Women and Girls” announced and what challenges did it face?
12. In addition to an official declaration of support for the United Nations Declaration on the Rights of Indigenous Peoples, what measures has the Canadian government taken to actively demonstrate that support?
13. In what way is ‘consultation’ an effective basis for promoting economic development?
14. What was the context for the Idle No More movement and what was the significance of Chief Theresa Spence in that movement?
15. What does the more recent focus on Indigenous knowledge refer to? Why is the role of language important in this regard?

## Essay Questions

1. Discuss the two examples of oral histories in the form of stories that were written down by two nineteenth-century Aboriginal writers.

The first example is by Francis Assickinack, an Odawa from Manitoulin Island who was educated at Upper Canada College in Toronto. He was convinced to write down his stories by the chief clerk for the Indian Department. His stories were clearly written and factual as far as could be verified by other sources. The second example is Andrew Blackbird, another Odawa who received a European education and who wrote down his history. In one part of his work, he documented the usage of the term “Stockbridges” referring to a group of people from New England that had been forced to move from their ancestral land. The term had been out of usage for a long time and could only have been transmitted through oral tradition (pp. 349-350).

2. Briefly recount the two stories from residential school survivors presented in the textbook.

The first story is told by Allan Saganash Jr, who recounts how his family was informed about his older brother’s death in 1957. They were deep in the bush at their winter hunting camp when Bertie Happyjack approached on snowshoes. He had been charged with the duty to inform Al-

lan's family that his brother had died in a residential school in Moose Factory and had been buried on 6 December 1956. The second story is told by Rose Cameron. Her account also indicates that her residential school experience was difficult and painful including not being able to speak her maternal language. However, she also acknowledges that it provided her with more food and the opportunity to obtain an education. She is now a successful university professor in Sault Ste Marie (pp. 354-355).

3. Explain the implications of the Treaty Land Entitlement Framework Agreement.

Realizing that a number of First Nations did not receive the reserve lands they were entitled to receive, the federal government eventually signed the Natural Resources Transfer Agreement. Through this agreement, the provincial governments in Saskatchewan and Manitoba were made responsible for outstanding treaty land obligations. Water and riparian rights were among one of the most important obligations covered by this agreement. Finally, in 1992, 25 Saskatchewan First Nations, the federal government, and the provincial government signed the Treaty Land Entitlement Framework Agreement. Through this agreement, the province of Saskatchewan provides the Crown land for sale, the federal government provides funds, and First Nations select and purchase the land for the reserves. As of 1997, Manitoba signed the Manitoba Treaty Land Entitlement Framework Agreement, and began following the same pattern (p. 348).

## Additional Resources

### Further Readings

Anderson, Terry L., Bruce L. Benson, and Thomas E. Flanagan. *Self-Determination: The Other Path for Native Americans*. Stanford: Stanford University Press, 2006.

Bone, Robert M. *The Canadian North: Issues and Challenges*, 4th edn. Toronto: Oxford University Press, 2012.

Daly, Richard. *Our Box Was Full: An Ethnography for the Delgamuukw Plaintiffs*. Vancouver: University of British Columbia Press, 2005.

Elsy, Christine. *The Poetics of Land and Identity among British Columbia Indigenous Peoples*. Halifax: Fernwood, 2013.

Graymont, Barbara. *The Iroquois in the American Revolution*. Syracuse, NY: Syracuse University Press, 1972.

———. "Thayendanegea" *Dictionary of Canadian Biography Online*.

Harvard, Gilles. *The Great Peace of Montreal*. Montreal and Kingston: McGill-Queen's University Press, 2001.

Innes, Robert. *Elder Brother and the Law of the People: Contemporary Kinship and Cowessess First Nation*. Winnipeg: University of Manitoba Press, 2013.

Johnston, Charles M. *The Valley of the Six Nations*. Toronto: University of Toronto Press, 1964.

Kelsay, Isabel Thompson. *Joseph Brant: Man of Two Worlds*. Syracuse, NY: Syracuse University Press, 1984.

Langton, Marcia, Maureen Tehan, Lisa Palmer, and Kathryn Shain, eds. *Honour Among Nations? Treaties and Agreements with Indigenous People*. Victoria: Melbourne University Press, 2004.

Miller, J.R. *Shinwauk's Vision: A History of Native Residential Schools*. Toronto: University of Toronto Press, 1996.

Niezen, Ronald. *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools*. Toronto: University of Toronto Press, 2013.

## Websites

Indigenous and Northern Affairs Canada – Residential School Apology

- <http://www.ainc-inac.gc.ca/ai/rcpi/apo/index-eng.asp>

Truth and Reconciliation Commission – TRC Final Report

- [www.trc.ca/websites/trcinstitution/index.php?p=890](http://www.trc.ca/websites/trcinstitution/index.php?p=890)

Idle No More – Idle No More Homepage

- <http://www.idlenomore.ca/>

Idle No More – Live Stream and Webinars

- [http://www.idlenomore.ca/live\\_stream\\_and\\_webinars](http://www.idlenomore.ca/live_stream_and_webinars)