# RE-LIVING THE RESIDENTIAL SCHOOL EXPERIENCE:

# AN ANISHINABE KWE'S EXAMINATION OF THE COMPENSATION PROCESSES FOR RESIDENTIAL SCHOOL SURVIVORS

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## ABSTRACT

### Re-Living the Residential School Experience: An Anishinabe Kwe's Examination of the Compensation Processes for Residential School Survivors

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The residential school legacy is one of the darkest chapters in Canadian history. From the mid-1850s to 1996, thousands of Aboriginal children were taken from their homelands and placed in residential schools. Taken against their will, many dreaded attending these schools. Some attended for as long as ten to fifteen years, only to be strangers in their own communities upon their return. In the past thirty years, survivors began disclosing the loneliness, confusion, fear, punishment and humiliation they suffered within these institutions, and also reported traumatic incidents of sexual, physical or emotional abuse. These childhood traumas still haunt them today.

This dissertation examines the four compensation processes (Litigation, Alternative Dispute Resolution, Independent Assessment Process and the Common Experience Process) used by survivors to determine whether the compensation payments made to them assisted in reconciliation of their residential school experience. To complete an analysis of the processes, twenty-four residential school survivors from Ontario, Manitoba and British Columbia were interviewed about their experiences with one or more of the compensation processes. The study begins with a historical overview of the residential school legacy and continues with the residential school healing movement that initiated and finalized a negotiated settlement agreement for all living survivors.

This dissertation provides a unique perspective to the residential school legacy by using a cultural framework, Anishinabe teachings and concepts to share the voices of residential school survivors. The pivotal Anishinabe teaching within this study comes from The Seventh Fire prophecy. This prophecy states that: "If the New People will remain strong in their quest, the Waterdrum of the Midewiwin Lodge will again sound its voice." In this dissertation the residential school survivors are the New People. As the dissertation unfolds the author utilizes various Anishinabe concepts to illustrate how the compensation processes failed to assist the New People to reconcile with their residential school experience.

This study presents a medicine wheel understanding of reconciliation and the Residential School Legacy. It concludes with an important message to the second and third generation survivors to continue the reconciliatory efforts that the New People introduced. It is crucial that the children and grandchildren of the New People begin the reconciliation process not only for themselves but for the next seven generations.

Key words: reconciliation; Anishinabe; Seven Fires Prophecy of the Anishinabe; the Waterdrum; Medicine Wheel; Indian residential schools; Indian residential school survivors; residential school compensation

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## Chapter 1.0 Introduction

Boozhoo. Animkee Gatewin Kwe n'dizhinikaas. Migizi n'dodem. Anishinabe[1] Kwe[2] n'deow. Bkejwanong n'dingaba. E shkin ntam Mide kwe.[3] For those who do not understand Anishinabewmowin (Ojibway language), I just introduced myself in my language. The English translation would be: Hello, my Anishinabe name is Thunder Shield Woman. I am of the eagle clan. I am an Aboriginal woman from a place in southwestern Ontario called Walpole Island, otherwise known as Bkejwanong, meaning "Where the rivers divide." I am a first degree Midewiwin woman.

This dissertation begins with an introduction in the manner that is practiced within the Three Fires Midewiwin Lodge[4]. In this way I honour the language and traditions of my Anishinabe ancestors while also being acknowledged by all livings things within the universe.[5] The teachings of the Anishinabe are used throughout this dissertation to guide my work. This journey is also guided by the following words written in my personal journal in 2001:

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[1] Anishinabe in the Ojibway language if broken down means: Ani: From whence, Nishina: lowered, Abe: the Male Species. See *The Mishomis Book* p. 3.

[2] Kwe in the Ojibway language refers to the female species. In this dissertation Anishinabe Kwe references the perspective that I have as a woman, grounded in my life experiences and the teachings that are specific to Anishinabe women. I believe that the experiences and teachings that I have learned as an Anishinabe Kwe have shaped the perspective that I bring to this research.

[3] In this dissertation I use the Anishinabewmowin spelling that is used by Eddie Benton-Banai in *The Mishomis Book*; firstly, because his work is referenced throughout this study and secondly for consistency in spelling since there are many ways that the Ojibway language can be written.

[4] Three Fires Midewiwin Lodge is capitalized because of its importance within the study.

[5] According to Midewiwin teachings, when one announces oneself by their Anishinabe name, they are acknowledged by all of Creation. This is the reason why it is important that I announce myself in this manner.

> She sat and listened intently; writing down every word that she could in her small notebook. She was totally immersed in the message that was being delivered. The guest speaker was a residential school survivor talking about the traumatic events that she experienced at the residential school that she attended as a child. As she continued listening to the survivors' story she realized that this woman's story was similar to her own. Never before had she heard the story of her life told through another person's mouth. On that day it was like she had learned something very profound. All I know is that as I watched, I saw something within her change. For after this day she shared many of her feelings about being in a residential school; things I have never heard her say before.[6]

These words were written after witnessing my mother Jeanette Riley bah's[7] response at the National Indian Residential School Conference held in Edmonton, Alberta in February, 2001. In our attendance at the conference, it was not anticipated that this event would mark the beginning of a transformation in her life as a residential school survivor[8] and also in my life, as one who inherited the legacy of that experience.

This dissertation flows out of that transformation. It sets out to explore the trauma of the Indian Residential School[9] (IRS) system in Canada, its inter-generational impacts and the efforts by those who survived the system to come to some sense of peace and reconciliation, particularly through compensation.

## 1.1 An Introduction to the Indian Residential School System

The implementation of residential schools in Canada began when the federal

[6] A journal reflection written by the author about her mother after attending the National Indian Residential School Conference in Edmonton, Alberta in February 2001.

[7] When referring to a person that has died and gone onto the spirit world the word "bah" is placed behind the name to indicate the individual is deceased.

[8] The term residential school survivor is used in this dissertation to identify a person that attended an Indian Residential School. Although the term has met some controversy it is utilized in this study as it remains the term used most often to identify this specific group of people. It should also be noted that in some instances this group will also be referred to as survivors.

[9] Indian Residential School is capitalized in this dissertation to emphasize the historical significance of this period of time in the history of Aboriginal people of Canada.

government turned to address their constitutional responsibility for Indians[10] and their lands enshrined in the Constitution Act 1867.[11] To address this responsibility the government adopted a policy of assimilation. This policy included taking children away from their homes and the influence of their parents to be educated. For more than a century the federal government removed children and placed them within the IRS system.

It is uncertain how many Aboriginal children attended Indian residential schools, but records from the 1940s show an "estimated 8,000 children -- half the Indian student population" at the time – were enrolled in residential schools across Canada.[12] According to the federal government records there were an estimated 10,000 students in residential schools in any one year during the 1960s.[13]

In 1969, the federal government realized the IRS system was costing them more money than was available so they phased out the education program.[14] Although this decision to close the IRS system was good, thousands of Aboriginal children were left with the physical and emotional scars from the horrific treatment they received within these schools. After leaving residential school many survivors never

[10] Indians, Aboriginal, First Nations will be used interchangeably within this dissertation. Although the author prefers to use Aboriginal or First Nations to refer to the original people of this country the federal government has identified the Aboriginal people of this country as Indians within federal legislation such as the Indian Act. Therefore, depending upon the context of the information provided, Indians, Aboriginal or First Nations will be used.

[11] Canada, *Report of the Royal Commission on Aboriginal Peoples* 3, "Residential Schools," c. 10, http://www.collectionscanada.gc.ca (accessed July 1, 2013).

[12] Assembly of First Nations, *Breaking the Silence: An Interpretative Study of Residential School Impact and Healing as Illustrated by the Stories of First Nation Individuals* (Ottawa: Assembly of First Nations, 1994), 2.

[13] Ibid, 2.

[14] Ibid, 412.

spoke of their experience again because the aftermath it created in their lives was unbearable.

The silence surrounding the residential school programs changed on February 13, 1989 when a call was made to VOCM's[15] radio call-in program "Open Line" stating the government of Newfoundland and Labrador were involved in a cover up regarding sexual and physical abuse at the Mount Cashel[16] orphanage.[17] Reports of the horrific treatment that orphans received in Mount Cashel spread across Canada and to former students of IRS, who had suffered a similar fate. Whether non-Aboriginal residential school students of Mount Cashel knew it or not, they opened the floodgates for lawsuits from Aboriginal students who were abused while attending IRS programs in Canada. At last the silence that shrouded the IRS legacy was uncovered and heard around the world.

From this point onward the learned silence[18] that surrounded the IRS system of Canada began to diminish. The silence turned into positive action as hundreds of IRS survivors began filing lawsuits against the government and the Churches[19] for compensation for the physical and sexual abuse they suffered in residential school. The hundreds of lawsuits initiated prompted the federal government to take action to deal with the problem. In response, the federal government introduced the first

[15] VOCM, The Voice of the Common Man is an AM radio station located in St. John's, Newfoundland. The station can be found at 590 AM on the radio dial.
[16] More information on Mount Cashel will be discussed in Chapter 3.
[17] Jenny Higgins, "Newfoundland and Labrador Heritage: Mount Cashel Orphanage Abuse Scandal Timeline." http://www.heritage.nf.ca/law/wells_gov_mt_cashel_ti (accessed May 12, 2012).
[18] "Learned silence" in this dissertation refers to the inability of residential school survivors to voice their opposition to the events they were subjected to while attending residential school. When they asked for food, they were punished; when they spoke their language they were punished; when they tried to assist their siblings they were punished. The fact that they were punished all the time resulted in their learning to be silent. For this reason, I have labeled this act as "learned silence".
[19] In this dissertation the word "Churches" is capitalized because it represents a number of religious denominations that administered residential schools for Aboriginal children.

Alternative Dispute Resolution (ADR) pilot project.[20] Even though the ADR system began hearing cases; it was insufficient to accommodate the number of individual claims filed. During this same period residential school survivors began to work together and filed class action lawsuits. The mounting claims and lawsuits against the federal government and the Churches could no longer be ignored.

After years of dialogue, an Agreement in Principle was entered into on November 20, 2005 then 6 months later the Indian Residential School Settlement Agreement (IRSSA) was ratified on May 8, 2006.[21]. The ratification process required courts within nine jurisdictions to approve the agreement.[22] The last court to ratify the agreement in January of 2007 was the Supreme Court of the Northwest Territories.[23]

The IRSSA included the Independent Assessment Process (IAP) and Common Experience Payment (CEP) processes. The IAP was an improved ADR system that would be used to settle physical and sexual abuses cases; the CEP was utilized for compensating any living survivor[24] that attended a residential school in Canada.

This short introduction to the IRS system provides a glimpse into the terrain that will be discussed within this dissertation. Within the following pages a more detailed analysis of the residential school legacy and the question of whether

[20] Anglican Church of Canada, *Residential Schools Update November 22, 1999.* http://www.anglican.ca/relationships/newsarchive (accessed June 10, 2014).
[21] The parties to the Settlement Agreement included Cloud Class action group and all Class Action members.
[22] The courts required to ratify the Settlement Agreement included: Quebec Superior Court, the Superior Court of Justice of Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Nunavut Court of Justice, the Supreme Court of Yukon and the Supreme Court of Northwest Territories.
[23] Timeline for residential schools found at www.cbc.ca/canada/story on July 13, 2009.
[24] To be awarded the CEP compensation survivors had to be alive on May 25, 2005. Those that died prior to this date were not eligible for the CEP compensation.

residential school survivors have been able to reconcile with their experience is examined by listening to the voices of residential school survivors.

## 1.2 Personal Connection to the Topic

From the outset, I want to share how this dissertation journey began. In all likelihood, the journey started years ago; however, as stated earlier, the real push towards this undertaking occurred in 2001 as a result of my mother's reaction to the messages being shared at the National Indian Residential School conference in Edmonton, Alberta. From this day forward I was fascinated by the residential school issue. As the daughter of two residential school survivors, the residential school issue was and still is very important to me not only because of its impact on my parents but also because of the inter-generational effects passed down to me.

My healing journey began at least thirty years ago as a result of personal life experiences. In this time I learned that people trying to deal with inter-generational trauma should not only look at their own life experiences, but also consider the life experiences of their parents and ancestors.

Growing up I never questioned why my parents who were fluent speakers of the Ojibway language never taught us. Nor did I question why we lived on a reserve separated from the rest of society. Children generally grew up believing that all children were the same regardless of colour or race. It was later in life through personal experiences I learned that Aboriginal people were very different from non-Aboriginal people and the relationship between the two was strained to say the least.

Reflecting upon my upbringing as an Anishinabe Kwe it has become apparent my parents taught us very little about Anishinabe identity. Although I was raised

within an Aboriginal family and community I was taught very little about my culture and traditions. Most of what was learned about the Anishinabe was taught in elementary school by a non-Aboriginal teacher or acquired much later during university studies.

After learning about the residential school legacy it became clear why my parents chose to ignore teaching us the Ojibway language and anything about our identity. Like many others, they were punished for speaking the language in residential school and feared we would be punished too. The only time the Anishinabe language was spoken was in discussions with Elders.

Reflecting upon this connection to the residential school issue, I realize my ties to this topic date back many years. The first time I heard a residential school story told was while attending the Native Studies undergraduate program in the late 1980s. After completing an undergraduate program at Trent University, I went to law school and practiced law for approximately seven years. While practicing law I returned to school to complete a Master of Laws degree in Alternative Dispute Resolution (ADR). During this seven year period I realized the Canadian justice system does not work for Aboriginal people and returned to school studying Negotiation at Harvard University. Upon returning to Canada my interests began to change dramatically. Rather than pursuing ways to address conflict, I began to think of ways to restore a person's harmony illustrating how my interests shifted dramatically.

In 2003, while working for a residential school program my interests in the residential school legacy amplified. I applied to the Trent University Ph. D. Program while working as the Program Director for the Healing Arts program for the North Shore Tribal Council. This program was funded by the Aboriginal Healing

Foundation[25] (AHF) to develop and deliver an art therapy program for residential school survivors and their inter-generational family members for the seven First Nations across the North Shore of Lake Huron.

With this experience in hand, my studies within the Trent University Indigenous Studies Ph. D. Program began. Much has been learned about the residential school legacy, the inter-generational layers of trauma that resulted from residential schools and also the resilience of Aboriginal people since then. This astounding resilience is unmistakable when looking back at the events that have unfolded over the last thirty years as residential school survivors fought to attain justice for the experiences they encountered in residential schools.

Having the opportunity to study the topic of residential schools and being a child of two residential school survivors, I see myself not only as an inter-generational carrier of the trauma my parents were exposed to in residential school, but as an individual who is able to initiate change and advocate transformation and reconciliation of the residential school experience - a quest which Aboriginal people need to undertake.

### 1.3 Research Focus

This research has two main objectives: the first is to examine the experience residential school survivors had with the compensation processes[26] and secondly to determine whether the processes assisted residential school survivors to move towards

[25] The Aboriginal Healing Foundation was developed to administer funding that was earmarked for residential school healing programs announced within the Statement of Reconciliation in 1998.

[26] The three processes available to IRS survivors to seek compensation for their residential school experience: litigation, the ADR/IAP and CEP.

reconciliation.[27] Because of the delicacy of the topic being researched a lot of thought was put into what definition of reconciliation to use to substantiate my work on resolution of the residential school legacy. A literature review revealed many different meanings provided by reputable scholars and practitioners such as, Brant-Castellano, Henderson, Llewellyn, Alfred and Harrison, whose work will be identified in Chapter 3. In the end, the definition that best suited this study came from the work of Maggie Hodgson (Nadleh Whuten Carrier), who stated that reconciliation means the ability of IRS survivors to "bring their spirit to a place of peace."[28] This definition seemed to be the perfect fit because it focused upon the individual survivor, their years of unresolved turmoil and the place to which they are striving to return. Although reconciliation with family, community, Church and the government is important to residential school survivors the healing process begins with self. For this reason the definition provided by Hodgson is used. The other definitions described reconciliation within a societal context, which is also important to reconciliation of the residential school legacy but is not the main focus of this research.

To complete the first objective I interviewed twenty-four survivors from three provinces in Canada: Ontario, Manitoba and British Columbia. Then, to complete the second objective, a review of the comments made by survivors about the processes coupled with the literature regarding reconciliation was reviewed to determine whether movement towards resolution of the residential school legacy occurred.

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[27] Upon review of the definitions it became clear there were two types of reconciliation: individual reconciliation involving efforts by one person for self and societal reconciliation involving resolution on a broader basis involving various sectors of society such as local, regional, provincial and national levels including Churches and governments.

[28] Maggie Hodgson, "Reconciliation: A Spiritual Process," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, ed. Marlene Brant Castellano, Linda Archibald and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2008), 363-379.

Readers of this dissertation may wonder why reconciliation of the residential school legacy is still an issue when the doors of the IRS system closed in 1996 over twenty years ago. Although the doors of the IRS system are closed, the physical, emotional and psychological wounds many survivors experienced are still open and not yet healed. For this reason, reconciliation of the residential school legacy remains so very important.

Reconciliation is not a new concept. The term has been mentioned endlessly in political arenas for the last twenty years. The first semblance of reconciliatory dialogue occurred in 1991 within the Royal Commission on Aboriginal Peoples[29] (RCAP) which was implemented to deal with an accumulation of centuries of injustice.[30] After 5 years of research and public hearings, the final RCAP report was released in November of 1996 containing five-volumes, 4000 pages and covering a vast range of issues. The 440 recommendations called for sweeping changes to the relationship between Aboriginal and non-Aboriginal people and governments of Canada.[31] The report also devoted one chapter to the residential school issue.

In 1998, two years after the release of the final RCAP report, then Minister of Indian Affairs and Northern Development Jane Stewart unveiled "Gathering Strength: Canada's Aboriginal Action Plan."[32] The document contained a Statement of Reconciliation which for the first time acknowledged the harms created by residential schools and the role the federal government played in the development and

[29] Canada, *Report of the Royal Commission on Aboriginal Peoples,* PRB 99-24 E, 4 October 1996, rev. 2, August 2000.
[30] James S. Frideres, "The Royal Commission on Aboriginal Peoples: The Route to Self-Government?" *The Canadian Journal of Native Studies* 16, 2 (1996): 249.
[31] Canada, *Report of the Royal Commission on Aboriginal People*s, PRB 99-24 E, 4 October 1996, rev. 2 August 2000.
[32] Canada, Address by the Honourable Jane Stewart, Minister of Indian Affairs and Northern Development on the occasion of the unveiling of "Gathering Strength – Canada's Aboriginal Action Plan". Ottawa, Ontario. January 7, 1998. http://www.aadnc-aandc.gc.ca (accessed January 2, 2012).

administration of these schools. Several years later, in 2000, then Minister of Indian Affairs and Northern Development Robert Nault provided a progress report on the "Gathering Strength: Canada's Aboriginal Action Plan".[33]

Following the successful negotiation of the Indian Residential School Settlement Agreement in 2005 the AHF sponsored several studies regarding the residential school survivors' compensation processes. The first study, conducted in 2007, is entitled "Lump Sum Compensation Payments Research Project: The Circle Rechecks Itself."[34] In 2010 there was a second study entitled "The Indian Residential Schools Settlement Agreement's Common Experience Payment and Healing: A Qualitative Study Exploring Impacts on Recipients."[35] Although both studies address the compensation processes, each looked at the subject from a western lens rather than using a cultural lens as this dissertation does. The first study examines the impact that the compensation payments (money) awarded to survivors had upon them personally and upon their families and communities; and the second study looks at the residential school survivor and healing.

The distinguishing factor of this dissertation is the cultural framework, Anishinabe teachings and concepts used to examine and explore the research question - whether the compensation processes assisted survivors to reconcile with their residential school experience. By listening to the voices of residential school survivors and interpreting the words through an Anishinabe lens, the complexity of a

[33] Ibid.
[34] Aboriginal Healing Foundation, *Lump Sum Compensation Payments Research Project: The Circle Rechecks Itself* (Ottawa: Aboriginal Healing Foundation, 2007).
[35] Aboriginal Healing Foundation, *The Indian Residential Schools Settlement Agreement's Common Experience Payment and Healing: A qualitative Study Exploring Impacts on Recipients* (Ottawa: Aboriginal Healing Foundation, 2010).

residential school survivor's ability to reconcile with their residential school experience becomes apparent.

To assist in explaining the complexity of the reconciliation issue the Layers of Knowledge and Piercing the Layers of Knowledge medicine wheels will be used to describe the damage that hinders reconciliation. The concluding chapter ends with the introduction of a Residential School Survivors Healing Wheel for those survivors ready to begin or continue on their healing journey.

## 1.4 A Midewiwin Anishinabe Kwe Perspective

All humans are shaped by the environment, social processes and culture within which they are raised. Likewise, this dissertation is written from my personal perspective shaped by the teachings and life-long socialization processes as an Anishinabe; more specifically, as an Anishinabe Kwe initiated into the Three Fires Midewiwin Society[36] in 1996. The Midewiwin Society is deeply rooted in the Anishinabe world view[37] and dates back to the beginning of time. Michael Angel as well as other historians has recorded stories of the Midewiwin in books dating back to the 1600s.[38] The teachings within the society are transmitted orally from one generation to the next during seasonal ceremonies and other special gatherings.

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[36] The Three Fires Society was established by Eddie Benton-Banai as a place where Midewiwin teachings he learned from childhood could be taught and continued for all that were interested in learning. See www.threefiresconfederacy.org/about/html. The Three Fires Society is an extension of what many historians have referred to as the Midewiwin Society or Grand Medicine Society. For more information see Selwyn Dewdney, *The Sacred Scrolls of the Southern Ojibway* (Toronto: Glenbow-Alberta Institute/University of Toronto Press, 1975); Frances Densmore, *Chippewa Music*, 2 vol., Bureau of American Ethnology Bulletins 45 and 53 (Washington: Smithsonian Institution Press, 1910-1913); Basil Johnston, *Ojibway Ceremonies* (McClelland and Stewart Ltd: Toronto, 1982) and Michael Angel, *Preserving the Sacred* (University of Manitoba Press: Winnipeg, 2002).

[37] Michael Angel, *Preserving the Sacred: Historical Perspectives on the Ojibwa Midewiwin* (Winnipeg: University of Manitoba Press, 2002), 47.

[38] For more information on the Midewiwin see the work of Michael Angel, James Dumont, Nicholas DeLeary, Frances Densmore, and Selwyn Dewdney. Although many outsiders write about the

The initiation[39] process into the Midewiwin Lodge[40] is not an easy task. The leaders within the society make a decision when a person will be allowed to enter into the society.[41] Before being admitted into membership, I attended ceremonies, seasonal celebrations and other gatherings of the Midewiwin for at least 7 years. Within the Midewiwin Society there are 8 degrees that a person can attain. The degrees coincide with the levels of knowledge a member is given the responsibility to teach and assume as a member of the society. The teachings are shared within the Midewiwin Lodge by the highest degree members of Midewiwin or those given the specific responsibility of a certain teaching. As knowledge holders the Midewiwin only share certain aspects of the teachings publicly. Personally, I am very cautious of sharing Indigenous Knowledge and have decided to include here only those teachings already in the public domain.

Although historians believe that the Midewiwin Society originated after contact with Europeans, the teachings that I have received as a member of the Three Fires Midewiwin Society place the origin of the Midewiwin Society back to the beginning of time. Using the teachings of the Midewiwin Lodge as the foundation for this research I now turn to an explanation of the incorporation of the teachings into this dissertation.

The Anishinabe world view is often referred to as bimaadiziwin, an Ojibway word generally interpreted to mean "the good life". The principles of bimaadiziwin

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Midewiwin the best accounts will be provided by those that have been initiated into the Midewiwin Society.

[39] Supra, note 37. The initiation process of the Midewiwin Society involves taking an oath that one with life a good life in accordance with the teachings. Upon offering tobacco a candidate receives teachings for the next year in preparation of the initiation ceremony where they will receive new life, p 134.

[40] The Midewiwin Lodge is a structure made of maple sapling branches, built with an eastern and western doorway, open on the top and lined with fern, balsam and spruce along the bottom. Taken from *The Mishomis Book*, 68.

[41] This account of the Midewiwin initiation process is from my personal experience and should not be viewed as the process required of every person. Some accounts of the process will vary.

teach the Anishinabe people how to live in harmony with all of Creation[42] and are referred to as the Original Instructions[43] given by the Creator at the beginning of time. The Original Instructions are teachings passed down orally from one generation to the next. Within a legal context these instructions are referred to as Indigenous Legal Traditions.[44] These teachings encompassed the laws that were given to the Anishinabe to govern all aspects of their communal and spiritual existence. It is from these basic teachings that Anishinabe understand their place within the universe and how to interact accordingly with other elements of Creation.

One Anishinabe teaching crucial to this dissertation is the Seven Fires (Neesh-waswi' ish-ko-day-kawn) prophecy. It is told that seven prophets ('Nee-gawn-na-kawg') came to the people and left them with seven predictions of what the future would bring. Since this time many of the predictions have come to be. In fact, if one compared the prophecies to Anishinabe historical events, the truth of the prophecies is recognized.

The Sixth and Seventh Fire ~~Prophecies~~ speak specifically to the topic of this dissertation – the residential school legacy. In the Sixth Fire teaching the sixth prophet of the people told how the children would be taken away from the teachings:

> Those deceived by this promise will take their children away from the teachings of the chi' ah ya og' (Elders).[45]

The Seventh Fire prophecy speaks to specific events that would occur as a result of the Sixth Fire. The seventh prophecy states that:

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[42] In this dissertation "Creation" is capitalized because of its importance to the Anishinabe teachings.
[43] The Original Instructions is capitalized in this dissertation because the Anishinabe believe that the Creator instructed them how to live on Turtle Island at the beginning of time.
[44] John Borrows, *Canada's Indigenous Constitution*, (Toronto: University of Toronto Press, 2010), 23.
[45] Eddie Benton-Banai, *The Mishomis Book*, 1st ed. (Minneapolis: The University of Minnesota Press, 2010), 90.

> The seventh prophet that came to the people long ago was said to be different from the other prophets. He was young and had a strange light in his eyes. He said, "In the time of the Seventh Fire an Osh-ki-bi-ma-di-zeeg (New People) will emerge. They will retrace their steps to find what was left by the trail. Their steps will take them to the Elders who they ask to guide them on their journey. But many of the Elders will have fallen asleep. They will awaken to this new time with nothing to offer. Some of the Elders will be silent out of fear. Some of the Elders will be silent because no one will ask anything of them. The New People will have to be careful in how they approach the Elders. The task of the New People will not be easy.
>
> If the New People will remain strong in their quest, the Waterdrum of the Midewiwin Lodge will again sound **its voice** (my emphasis added)."[46]

In this research the "New People" are considered to be the residential school survivors. The same people who as children were sent to residential schools, forbidden to speak their language and practice their culture. The same people returned home and felt like foreigners in an unfamiliar place. In time, these people would break the silence, find their voices and tell their stories.

### 1.5 An Anishinabe Framework: The Waterdrum

The framework utilized for this research comes from the teachings of the Waterdrum (Ma-tig-wa-kik Day-way-gun) as told in the Seven Fires Prophecies.[47] The Waterdrum is a sacred vessel used by the Anishinabe. It is used in Midewiwin ceremonies to communicate with all elements of Creation through song and dance.

Using the Waterdrum to guide me through the research did not come automatically. The idea of using the Waterdrum as a framework for this research appeared only after long hours of contemplation. Upon reviewing this teaching, I recalled how the Seven Fires prophecy warned that the children would be taken from

[46] Ibid, 93. Also, "Seven Fires Prophecies," is capitalized in this dissertation because of its importance to the residential school issue.

[47] The seven prophecies of the Midewiwin Lodge can be found within *The Mishomis Book*, written by Eddie Benton-Banai.

their homes and sent to residential schools. There was a connection between the teachings and the historical events of the residential school era. This realization sent shivers down my spine; the same feeling that occurs when sacred knowledge is revealed to me. What was discovered were parallels in the history of the residential school issue and the story of the Waterdrum. The similarities revealed were profound: both were taken away from the Anishinabe and both are crucial to the survival of the Anishinabe. The children are the lifeline to the future and the Waterdrum is the lifeline to the teachings of the Anishinabe, both of which are vital to the survival of the next seven generations.[48]

After reflecting upon the Waterdrum and recalling the many times I had heard its voice and helped to dress the Little Boy,[49] my research became clear. At that moment I knew the spiritual force that would guide me had been found – it was the Waterdrum. The story of the Waterdrum would be used as the framework for my research and it would be the vehicle for sharing this study.

> The story of the Waterdrum states:
>
> From the eastern doorway the knowledge flowed to him of what to do. He was given of how to construct the Waterdrum and what her different parts symbolized.
>
> The first Waterdrum was constructed at Sunrise of that fourth day. Even today, it takes four days to prepare for the Midewiwin ceremony.
>
> He made the Waterdrum to resemble in every way the vessel that sat in front of the Seven Grandfathers.

[48] Seven generations in the Anishinabe teachings refers to those yet unborn. In the teachings of the Anishinabe it is always emphasized that in whatever decision we make as an individual or collective we should be mindful of the generations that will follow us.

[49] The Little Boy is a term that is used within the Midewiwin Lodge to describe the Waterdrum that is tied using round stones at the top of the vessel.

He made the body of the Waterdrum out of a hollowed-out log. The wooden body of the drum is symbolic of all of our plant brothers and sisters with whom we must learn to live within a respectful way.

The head of the Waterdrum was made of deerhide. It represents and honours all of our four-legged brothers and sisters. The deerhide brings with it the qualities and gifts of the Wa-wa-shkesh'-she (deer). It gives the sound of the drum a soft but high-pitched quality. It gives speed and agility to the drumbeat. It gives a quality of peace and gentleness to the Waterdrum.

Before he placed the head on the Waterdrum, the old man partially filled the wooden shell of the drum with water. This ni-bi' (water) is said to represent the life blood of Mother Earth, the blood that flows through her, carries food to her, and purifies her. This water represents the life-giving force of Mother Earth that purifies and gives life to our bodies as well.

Into the water the old man sprinkled a little Ah-say-ma (tobacco) to remember how Tobacco was given to us so that we might talk with the Creator.

The old man attached the head to the Waterdrum with a hoop that was carefully fitted over the top of the drum. This hoop represents the Sacred Circle in which all natural things move. It represents the seasons of the Earth. It represents the birth, growth, and death of all living things. It represents the movement of the waters on Mother Earth. It represents the sacred bond between man and woman.

Sometime in later days, the Anishinabe attached the head to the Waterdrum by tying seven small, round stones into the deerhide head. These stones represent and give honour to our Mother Earth. They also represent the Seven Original Teachings that came to the Ojibway. It is said that these stones can only be found today in places where the Waterdrum has sounded her voice in the past.

When the seven stones are used, the head is fastened to the Waterdrum by tying the stones to the deerhide and then to the base of the drum. There are seven different ways used to tie the Waterdrum. Each way represents a sacred teaching. The tie that is used on the Waterdrum for a certain ceremony is determined only after meditation by the Osh-ka-bay-wis (helper). Today, the young apprentices gather around to watch, not only to learn the different ties, but to listen to the teachings that are often told while the drum is being tied. It is said that much can be learned about the ceremony that is to follow by paying attention to how the drum ties. The Waterdrum, in this way, is said to speak to those who handle her in a respectful way.

The old man adjusted the hoop so that the deerhide was pulled tight over the wooden shell. He took great care to straighten the deerhide that hung down

below the hoop. He understood this to be the wee-nes'-si-see' (hair) of the drum, hair that should be well-kept and free of tangles.

After the Waterdrum was tied, the old man pulled a plug out of a hole in the wooden shell. He held the drum up to the Creator and blew his breath into the drum. This he did to represent the life-giving breath of the Creator, that breath to which all life is ultimately linked.

The old man carved a day-way'-ga-na-tig' (drumbeater) out of a living root that he took from the Earth. He carved the head of the drumbeater with a curve to represent the neck of the crane and loon. These birds would later come into importance in the life structure of the Anishinabe.
When all these preparations had been done, the old man took the Waterdrum and sounded its voice four times.[50]

Figure 1: Anishinabe Waterdrum

[51]

Before going any further I want to share the protocol followed to gain consent to use the Waterdrum for this work and using an Anishinabe Waterdrum methodology In Anishinabe culture, following proper protocol is very important to avoid offending Indigenous[52] Knowledge keepers and also to ensure the energy within the universe is not disrupted by careless behaviour.

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[50] Edward Benton-Banai, *The Mishomis Book*, 1st ed. (Minneapolis: University of Minnesota Press, 2010), 68-71.
[51] This visual image portrays a Waterdrum. http://www.anishinabe.ca (accessed April 25, 2013).
[52] In this reference I chose to use the words "Indigenous Knowledge keepers" because the Trent University Native Studies has been changed to Indigenous Studies. Further the program often refers to Elders and traditional people as Indigenous Knowledge keepers. For this same reason the words are capitalized.

As a Midewiwin Anishinabe Kwe I have heard the teachings of the Waterdrum on a number of occasions and have been privileged to hear its voice many times in the Midewiwin Lodge. However, I am not the caretaker of a Waterdrum, and do not have all of the teachings that come with being a caretaker of a Waterdrum. For this reason it was necessary to hear the teachings and seek permission to use them in my work. I conveyed these concerns to my sister so she offered tobacco to the well-known Midewiwin Elder Edna Manitowabi on my behalf to share the teachings of the Little Boy once again.

In March of 2011, I travelled to Peterborough to listen to Edna share the teachings of the Waterdrum at the Gathering Space at Trent University. In her story she shared a metaphor of the Waterdrum and how she had seen the teachings being applied in her life. Listening to her teachings I realized the metaphor of the Waterdrum could be used in many ways. After Edna's presentation those present were invited to share in the circle.[53] At that time I shared the story of my research with Edna and those within the circle. As she listened I felt I had received the unspoken approval[54]needed to continue with my work.

The Seven Fires Prophecies and the Waterdrum methodology used within this dissertation are sacred teachings of the Anishinabe people. It is important that the sacred knowledge instilled within the teachings be protected and never misused. For this reason a word of warning is shared. The Waterdrum methodology is a beautiful framework for sharing research. However, not all researchers are Anishinabe with

[53] A circle in Anishinabe culture is gathering where those that comes together to hear teachings are allowed to share their personal insights with others in attendance.

[54] Unspoken approval received for this dissertation was within the context of using the teachings of the Waterdrum to tell the story of the residential school compensation processes. If the Elder or traditional person feels what you are doing is appropriate and you have followed appropriate protocol in making your request by asking permission a simple quick acknowledging gesture or nod represents unspoken approval. I should caution that unspoken approval cannot be used in every instance and should not be used for someone unfamiliar with the Elder or traditional person from whom approval is being sought.

knowledge of Midewiwin teachings. Therefore, before a researcher uses this methodology they must fully understand the teachings associated with the drum. To do so otherwise would be disrespectful to the sacred knowledge contained within the teachings. As previously stated understanding the complexity of the Midewiwin teachings takes years of devoted learning, practice and participation therefore it is not intended for those who do not have the experience and accountability requirements.

## 1.6 The Four Visions

Before moving onto the organization of this study I want to share the visions I received during the research process. Writing a dissertation in search of new knowledge takes hours, months and years of considerable reflection. For me, the long hours of contemplation and reflection revealed many new concepts and understandings. It was during this time that I had four visions. By visions, I mean various knowledge or images were revealed to me. In the following paragraphs I will describe these four visions.

### First Vision (Elders' Words)

The first vision came as a result of a discussion I had with an Elder/residential school survivor during the interview process. One specific survivor asked that I not change any of the words that he shared with me. My first reaction was surprise; then I promised that I would not change his words and would quote him verbatim. Thinking about his request I realized he wanted his "voice" to be heard. The thought of the survivors "voice" being heard reminded me of the teaching of the "voice" within the Waterdrum.

**Second Vision (Waterdrum and the Voice)**

The second vision appeared while pondering the conceptual framework of this study. As I reflected upon the words shared by survivors my mind kept returning to the Elder to whom I had made a promise to share his experience with the compensation processes in his words/"voice". Once again my mind travelled to the teachings of the Waterdrum. At that moment the Waterdrum appeared before me and I knew that I had been given the framework for this study.

**Third Vision (Parts of the Waterdrum)**

The next vision revealed itself while thinking about the various parts of the research project that required careful thought and consideration. As my mind wandered the various parts of the study appeared and connected to the various pieces of the Waterdrum. For example:

Tree – Conceptual Framework

7 Stones – Methodological Principles:

1. Relationality
2. Insider/outsider protocols
3. Ethical considerations
4. Creating time and space
5. Reciprocity
6. Interview process; and
7. Cultural protocol

Deer hide – Positionality and Self-care

Deer Hide Lacing – Important Considerations

Water – People

The Wooden Plug – My Word/Promise

Each of these methodological principles will be discussed in further detail in Chapter 5.

**Fourth Vision – Parallels: Seven Fires Prophecies and the Residential School Legacy**

The fourth and final vision came as I thought about the Residential School Survivors and the Seven Fires Prophecies. Thinking about the teachings I began to see the parallels between the prophecies and the history of the residential school legacy. The Sixth Fire prophecy states: there will come a time when the children would be taken from the teachings of the Elders. This happened during the residential school era. Then, the Seventh Fire prophecy states: A New People will emerge. They will retrace their steps to find what was left by the trail. If the New People remain strong in their quest, the Waterdrum of the Midewiwin Lodge will again sound its "voice".

It is my belief that we are currently living within the Seventh Fire prophecy. The New People (residential school survivors) have retraced the steps of the ancestors to find what was left by the trail. The voice of the Waterdrum has been sounded as survivors shared their stories of their residential school experience across the land.

The four visions received during this study have guided me throughout the dissertation process. Without this spiritual guidance my work would not be complete.

## 1.7 The Organization of the Study

The following pages include an explanation of the chapters to follow and a brief description of how the Waterdrum teachings are interwoven into the chapter titles to share the story of the residential school experience from a Midewiwin Anishinabe Kwe perspective.

Chapter 2 provides an examination of various concepts, models and paradigms ingrained within an Anishinabe epistemology to explain how I place myself within the research. Within this section are discussions of the medicine wheel; interconnectedness; relationships; past, present and future; and layers of knowledge. The discussion of Anishinabe epistemology is limited to these specific concepts, models and paradigms because they are used to analyze the data in this study. This chapter is entitled **"Birth of the Waterdrum: Anishinabe Concepts,"** because it represents the transformation from the spiritual realm into this existence.

Chapter 3 describes the life of an Anishinabe child before attending residential school and includes an overview of the treatment many Aboriginal children endured within these schools. This chapter also reviews various behavioural theories that emerged as a result of trying to conceptualize the trauma suffered by residential school survivors. The chapter moves onto a discussion of the healing journey. The examination of these areas will lay the foundation for further discussion of reconciliation of the residential school legacy to provide a better understanding of the complexity of this issue. This chapter is called "**Taking Away the Waterdrum: Colonization and the Residential School Legacy".**

In Chapter 4 the 1980s cultural revitalization[55] and healing movements are discussed to provide the reader with a brief look at the movements that set the stage for negotiations of the IRSSA in 2005. During this time residential school survivors broke their silence and began sharing their experiences, including physical and sexual abuse, while attending residential schools across Canada. This chapter also includes a review of the dialogue between federal government, Churches of Canada and the Assembly of First Nations, the organization that led the negotiations of the Indian Residential School Settlement Agreement and the processes put in place by the federal government to address the claims being made by residential school survivors. This chapter is titled "**In Search of the Waterdrum: History of the Indian Residential School Settlement Agreement."** This title represents how residential school survivors found their voice.

In Chapter 5 the methodology of this research project is discussed. This chapter highlights various components of the research considered before the project began, such as the purpose of the study, the research methodology, contextual framework, interviews, ethical considerations, data analysis and the participants. Looking at various components for this research project resembled the tasks required before assembling a Waterdrum. When dressing a Waterdrum one must find the materials needed for assembly of the Waterdrum such as the deerhide, tree stump, stones, tobacco and water. For these reasons the title of this chapter is "**Finding the Pieces of the Waterdrum: Methodology."**

[55] The cultural revitalization discussed in this chapter refers to the movement that occurred in the 1980s. At this time many young Aboriginal people began searching for answers to questions about their Aboriginal identity. They were looking for the songs, ceremonies, culture and traditions of their ancestors. They were searching for people who knew where they could pick up the pieces of their culture that had been left by the wayside.

In Chapter 6 an analysis of the interviews with residential school survivors is undertaken. The stories of residential school survivors are powerful, just as the sound of the Waterdrum is very powerful. In this chapter voices of the residential school survivors will be heard as they share their feelings about the various compensation processes utilized, followed by a discussion of individual and societal reconciliation and what this means to the Residential School Legacy. I picture the voices metaphorically as the sound of the Waterdrum; which is the **"voice"** of the people**.** Therefore, this chapter is entitled, **"Sounding the Waterdrum: Story of the Processes."**

Chapter 7 concludes with the findings of this dissertation followed by comments made to the younger generation and a Giveaway Ceremony to honour the survivors who participated in this study. The chapter ends with a Travelling Song instructing the younger generation to move to higher ground where the intergenerational trauma is transformed into healing and reconciliation. This chapter is entitled, **"Voices within the Waterdrum Spoke to Me: Moving Generations Forward."**

# Chapter 2.0 The Birth of the Waterdrum: Anishinabe Concepts

> The old man knew that some essential part of the Lodge was missing. He tried to relive the time that he was with the Seven Grandfathers to see if there was some part of the instructions that he had missed. He meditated all day to try to discover the missing part of the ceremony. When the Sun was sinking in the West at the finish of the day, the old man turned from watching the sunset and looked to the East. He saw in the eastern sky what looked like a huge tree. The tree appeared to be coming closer. The old man thought, "This must be what is missing." As he watched the tree turned into the very same vessel that the Seven Grandfathers had in front of them when he visited their Lodge in his childhood.[56]

This story tells how a tree transformed into a Waterdrum. Envisioning how the Waterdrum came to the old man is similar to the birthing ceremony of a Waterdrum in the Midewiwin Lodge. The ceremony is beautiful. The anticipation of the Waterdrum being delivered is analogous to the birthing of a child. Birthing is a joyful time when new life is brought into the world. The birthing metaphor is used to begin this chapter to symbolize the birth of this study. For this study the new life being brought into this world are the teachings and stories that will be shared in this chapter.

Before sharing some additional concepts, the Seven Fires Prophecies will be explained in more depth to illustrate the significance of the teaching for this dissertation. The teaching says, many years ago seven nee-gawn-na-kayg' (prophets) came to the Anishinabe and left them with seven predictions of what the future would bring.[57] Each of the prophecies was called a Fire and each Fire referred to a particular era of time within the future.[58]

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[56] Edward Benton-Banai, *The Mishomis Book*, 1st ed. (Minneapolis: The University of Minnesota Press, 2010), 68.
[57] Ibid, 89.
[58] Ibid.

The teachings of the Sixth Fire prophecy states:

> When the Sixth Fire came to be, the words of the prophet rang true as children were taken away from the teachings of the Elders. The boarding school era of "civilizing" Indian children had begun. The language and religion were taken from the children.[59]

The story goes on to state:

> In the confusing time of the Sixth Fire, it is said that a group of visionaries came among the Anishinabe. They gathered all the priests of the Midewiwin Lodge. They told the priests that the Midewiwin Way was in danger of being destroyed. They gathered all the sacred bundles. They gathered the Wee'-gwas scrolls that recorded the ceremonies. All these things were placed in a hollowed-out log from Ma-none' (the ironwood tree). Men were lowered over a cliff by long ropes. They dug a hole in the cliff and buried the log where no one could find it. Thus the teachings of the Elders were hidden out of sight but not out of memory. It was said that when the time came that Indian people could practice their religion without fear that a little boy would dream where the ironwood log full of sacred bundles and scrolls was buried. He would lead his people to the place.[60]

Reflecting upon the history of Aboriginal people in Canada, a parallel can be drawn between the events that occurred during the assimilation period and the story told in the teachings of the Sixth Fire prophecy. Beginning as early as 1620, Aboriginal children were taken into the care of religious orders to be educated. This practice continued for the next three hundred years.

The report of the Royal Commission on Aboriginal People (RCAP) identifies the Canadian-settler history between the late1800s to early 1900s as Stage 3: Displacement and Assimilation.[61] During this stage the entire lifestyle of Aboriginal people was disrupted by relocation to reserves, residential schools, the outlawing of Aboriginal cultural practices and changes to the Indian Act.[62] Another parallel can be

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[59] Ibid, 91.

[60] Ibid.

[61] Canada, *Report of the Royal Commission on Aboriginal Peoples* 1, "Looking Forward, Looking Back," c. 3, http://www.collectionscanada.gc.ca (accessed July 1, 2013).

[62] Ibid, 38.

drawn between the visionaries' warning of the Midewiwin Way being destroyed and the federal government policy outlawing all cultural practices as told within the Sixth Fire prophecy. The predictions of the prophets accurately foretold the future and for many years the Anishinabe culture went underground until the next prophecy fire came to be.

As noted in the Seventh Fire prophecy, the seventh prophet said that during this time a "New People" would emerge. These New People would retrace their steps to find what was left by the trail. The New People are the residential school survivors in this dissertation. Looking back at the history of Aboriginal people one will notice the landscape of Aboriginal politics and the struggle for acknowledgment of inherent rights also included a movement of cultural revitalization. This cultural revitalization began when many of the living residential school survivors were young adults. As young people the residential school survivors began a search for their identity. For this reason, I have come to the conclusion the residential school survivors are the New People that would retrace their steps to find the Elders who would guide them on their journey. My conclusion is verified when looking at the history of the Three Fires Society as told by Rainey Gaywish in her Ph. D. dissertation which states:

> In the Three Fires Society, a discussion continues about when the time of the Seventh Fire may have begun in time as marked by the Gregorian calendar used today in North America. Our minds remain open to new evidence from science (weather/environmental phenomena), archaeology or history that might help to place time markers to determine the beginning and end of each Fire. Benton Banai is clear in his understanding of the Prophesy that the messages and signs of the end of the Seventh Fire have not yet occurred and that as of this time, the Eighth Fire has not been lit.[63]

[63] Rainey Gaywish, "Prophesy and Transformation in Edward Benton Banai's Revitalization of the Midewiwin Heart Way: Neegawn I-Naw-Buh-Tay Ayn-Nayn-Duh-Mawn. My Thoughts Flow Forward to the Future." (PhD diss., Trent University. September 2008), 75

This excerpt provides a testament from Benton Banai regarding his belief that we are currently living in the time of the Seventh Fire prophecy.

I now turn to some additional Anishinabe (legal) traditions to provide added depth to the study. The concepts and models shared in this section are reflective of my ontological and epistemological view of the world incorporated to provide additional understanding of an Anishinabe worldview. Understandably, my epistemological viewpoint may not apply to all children of residential school survivors and should not be viewed in such a generalized manner. It is specifically how "I" place myself within the world utilizing the teachings received during my life time.

Wilson describes Indigenous epistemology as our cultures, our worldviews, our times, our languages, our histories, our spiritualities and our places in the cosmos.[64] While, Ermine suggests epistemology as a mysterious force that connects the totality of existence – the forms, energies, or concepts that constitute the outer and inner worlds.[65] He further states an Indigenous axiology emerges from an epistemology and ontology based upon relationships and the accountability to these relationships.[66] While Wilson explains that an axiology includes one's set of morals or ethics,[67] upon which accountability for one's relationships are established. The relationships extend to all living things in this universe. Graveline explained this concept well when she stated:

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[64] Shawn Wilson, *Research is Ceremony* (Halifax: Fernwood Publishing, 2008), 70.
[65] Willie Ermine, "Aboriginal Epistemology," in *First Nations Education in Canada: The Circle Unfolds*, ed. Marie Battiste and J. Barman (Vancouver: University of British Columbia, 1995), 101-112.
[66] Ibid, 70.
[67] Ibid.

> That which the tree exhales, I inhale. That which I exhale, the tree inhales. We live in a world of many circles; these circles go out into the universe and constitute our identity, our kinship, our relations.[68]

In this excerpt Graveline eloquently illustrates the connection and interdependence the Anishinabe believe exists between a human being and a tree. It is this type of interdependence that is respectfully recognized and acknowledged within the Anishinabe worldview.

The following sections will identify and explain key Anishinabe (legal) traditions that assist in framing the analysis within this research. According to John Borrows Indigenous Legal Traditions can be situated within 5 spaces: Sacred Law, Natural Law, Deliberative Law, Positivistic Law and Customary Law.[69] From these categories various elements of the Anishinabe worldview can be found. Some of the elements described in the following sections are - time: past, present, future; circular versus linear worldview; medicine wheel; interconnectedness; relationships; layers of knowledge; and transmission of knowledge.

## 2.1 Time: Past, Present and Future

In Aboriginal communities one will often hear Elders pay homage to the ancestors that have passed on. Our ancestors are important to us because they represent the way that life used to be before the arrival of the Europeans and colonization. At that time the Anishinabe lived the good life – bimaadiziwin. Living the good life consisted of living in harmony with all of Creation; taking only what was needed and always giving thanks for what was taken from Mother Earth. Much

[68] F. J. Graveline, *Circle Works: Transforming Eurocentric Consciousness* (Halifax: Fernwood Publishing, 1998), 56.
[69] John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010).

of the old ways of our ancestors can only be shared in stories today since that lifestyle is gone. It is the ***past***.

Where we are today is the ***present*** - the now. Personally speaking, the place I find myself today is the result of the influence and teachings and knowledge received from my parents, grandparents, ancestors and the Midewiwin Society. My place in this world is a result of their experiences coupled with my own. Each individual is who they are today based upon the experiences they lived, the challenges they have undertaken, the opportunities they seized and the space they carved out for themselves. Simple but true.

When we think of the ***future*** – we are often reminded when we make decisions today, we must think about how our decision is going to impact the future – the next seven generations. I often wonder what will be in store for my grandchildren's children. What will be passed down to my children and their children? Are my decisions in the best interests of those yet unborn?

The Anishinabe have relationships to the ancestors of the past, family in the present and to the seven unborn generations of the future. It has been told on many occasions: a person cannot know where they are going in the future unless they know where they came from in the past. To me this means Anishinabe must know their history and the teachings to truly know who they are as individuals and to know what to do in the future.

In this study the concept of "past, present and future" is used to tell the story of the residential school survivors using the Seven Fires prophecy teachings.

## 2.2 Circular vs. Linear Worldview

The Anishinabe worldview processes concepts in a circular mode; for example time on a clock moves in a circular motion. Instead of seeing time with a beginning and an end, time is seen as continuously flowing in circles to an Anishinabe. Jim Dumont, an Elder and Chief of the Eastern Doorway of the Three Fires Midewiwin Lodge eloquently captured this concept in the following story:

> "A Mide Shaman from Minnesota expressed this same thought in this way: in the beginning, while the races still lived together as one, each of the races had to come to a decision as to what direction he would choose. During this time White and Red Man found themselves walking together along the same road. At some point in their journey they came to a division in their path. One of the two possible roads before them offered knowledge and growth through accumulation and mounting of all that could be seen ahead (a one-hundred – and-eight-degree vision). This is what White Man chose and he has developed in this "linear" and accumulative fashion ever since. The other road appeared less attractive materially and quantitatively, but offered a whole and comprehensive vision that entailed not only vision before but also vision behind (a three-hundred-and-sixty degree-vision). This was the circular vision that sought to perceive and understand the whole nature of an object or event – its physical reality as well as its soul. The Red Man chose this road and he has developed in this circular and holistic way ever since."[70]

The circular or three-hundred-and-sixty-degree-vision that Jim Dumont talks about is a (w)holistic[71] or circular viewpoint that is a common concept for the Anishinabe. In the Anishinabe belief system there are many concepts represented by a circle. The sun, moon and Mother Earth are circular in form. The medicine wheel used in this study is circular. The circle represents cycles or processes that flow from one point to the next; for example, the four seasons of the year are winter, spring, summer and fall. These seasons are continuous in motion and repeat themselves in sequential order yearly.

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[70] J. Dumont, "Journey to Daylight-Land: Through Ojibwa Eyes," *Laurentian Review*, (1976): 11.

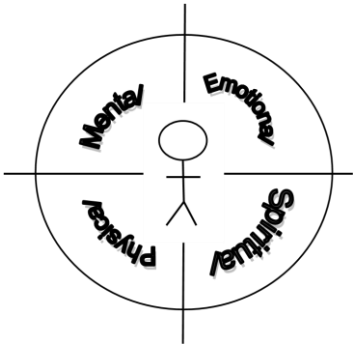
[71] I choose to spell wholistic with a "w" because this spelling encompasses the whole vs. hole or holy, as Kathleen E. Absolon pointed out in her recent work: *Kaandossiwin: How We Come to Know*.

## 2.3 The Medicine Wheel

The medicine wheel[72] is a traditional concept used by many Aboriginal people across North America. To explain one of many different medicine wheels an Anishinabe medicine wheel of "Self" will be utilized. The medicine wheel of "Self" contains four sections referred as quadrants. The four quadrants each represent qualities that an individual possesses. The four quadrants of an individual include the mental, emotional, physical and the spiritual capacities. These four quadrants are qualities that form a human being's personality. Each of the four quadrants of a human being or self is interconnected and dependent upon the other. When all four quadrants are in harmony it is stated the individual is balanced, meaning, in good health and good mind. However, if any of the quadrants is out of balance it is believed the individual is out of balance. Being out of balance for any length of time can cause a person to become physically ill; therefore for overall good health it is important to maintain balance within the four quadrants.

The four quadrants represented within the "Self," Medicine Wheel are illustrated here.

**Figure 2: The Four Quadrants of the Medicine Wheel**




[72] For more information regarding the use of Medicine Wheels see, *The Sacred Tree* by Four World Development Project (Four Worlds: Alberta, 1988); *The Hollow Tree*, by Herb Nabigon (McGill-Queen's University Press: Montreal, 2006); and *Circle Works* by Fyre Jean Graveline (Fernwood Publishing: Halifax, 1998).

## 2.4 Interconnectedness

Another important concept within the Anishinabe worldview is interconnection of all living things. It is believed all living things are connected. Fyre Jean Graveline explains interconnectedness in this way:

> "We are taught a common understanding of interconnectedness: that all living things are dependent on each other. All things and all people, though we have our own individual gifts and special place, are dependent on and share in the growth and work of everything and everyone else. We believe that beings thrive when there is a web of connectedness between the individual and the community and between the community and nature."[73]

As stated by Graveline, interconnectedness exists between all living things including human beings. Interconnectedness is important to the residential school issue because many generations of family and community members attended these institutions. The interconnections between residential school survivors and their family members resulted in severing the ties to family and community. The disconnection from family and community created irreparable harm to survivors and subsequent inter-generational family members.

The lived experience many parents transmitted to their children has been labelled inter-generational grief.[74] Intergenerational grief, also known as generational, inter-generational or multigenerational grief will be discussed in more detail in the next chapter.

Most second and third generation survivors have come to realize that much of their learned behaviour is directly linked to what their parents, grandparents and ancestors experienced through colonization and federal government policies such as

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[73] F. J. Graveline, *Circle Works: Transforming Eurocentric Consciousness* (Halifax: Fernwood Publishing, 1998), 55.

[74] Inter-generational trauma has been identified by Dr. Maria Yellow Horse Braveheart. For more information on this topic see Dr. Yellow Horse Braveheart's work referenced in the bibliography.

residential schooling. Further, many learned as adults that the "normal" they grew up surrounded by was in fact not normal, but rather was the inter-generational grief their parents carried.

## 2.5 Relationships

Another important concept within the Anishinabe epistemology relevant to this study is relationships. Relationships exist in all facets of life, within families, communities and even within the universe and cosmos. Anishinabe view themselves as an equal part of Creation, not any better nor any less than any other living thing in this world. Because of this belief relationships of mutual respect are extended to all of those living things.

The immediate relationships an individual has may include one's mother, father, sisters and brothers. These relationships are based upon a common blood line. This blood relationship extends to aunts, uncles, cousins, grandmother, grandfather and the ancestors that have passed on. Another type of common relationship that exists within Anishinabe society is of a spiritual nature. Spiritual relationships exist within the Anishinabe clan system or between people that have kindred spirits or another type of spiritual connection. Because of the spiritual connection that exists between these people they will refer to each other as relations, such as aunt, uncle, mother, father, sister, brother, grandmother or grandfather even though they may not be related by blood.

Another important relationship common amongst Aboriginal people is the relationship with the spiritual realm. In Anishinabe teachings it is believed every living creature, plant, animal, those that live within the water realm, those that dwell within Mother Earth and those that exist in the sky realm were all created with a

spirit. Because all living things have a spirit they are regarded as sacred. For example, sweetgrass has a spirit; therefore, when sweetgrass is picked, tobacco must be placed upon Mother Earth asking for the life of that sweetgrass plant telling why it is being picked and what it will be used for. This protocol illustrates the relationship of respect that exists between human and plant life within Anishinabe culture.

In this study relationships were crucial at the beginning and at the interview stage of the research process. The process of relationship building that preceded the interview stage was vital to the success of the research. Relationships with support people had to be developed and maintained before the interviews were conducted until each interview was complete. The relationships that were built during this study will be discussed in more detail in later chapters.

## 2.6 Layers of Knowledge

Knowledge is acquired throughout a person's lifetime as a result of information, facts, ideas, truths and principles to which they are exposed. The acquisition of knowledge is a never-ending process that begins during childhood. As a child we are taught everything we know by our primary caregivers. A primary caregiver could be our mother, father, aunt, uncle, grandparents or individuals that adopt us. They are the people that teach us everything we know as a child: language, customs, traditions, ceremonies, roles and responsibilities and how to interact with other people. Berger and Luckmann refer to a person's first socialization in which they become a member of society as primary socialization.[75]In Anishinabe culture the

[75] P. Berger and T. Luckmann, *The Social Construction of Reality, a Treatise in the Sociology of Knowledge* (New York: Anchor Books, 1967), 131.

infant child was with the mother constantly[76], thus, mother was the first teacher or primary socialization conduit for their child.

Marlene Brant Castellano described knowledge in the following manner:

> "The knowledge valued in aboriginal societies derives from multiple sources, including traditional teachings, empirical observation, and revelation."[77]

In the next section a detailed description of how an individual acquires various kinds of knowledge during their lifetime will be explained.

## 2.7 Transference of Knowledge

As previously stated there is a connection between the knowledge an individual's parents, grandparents and ancestors acquired that was passed onto their children. To explain this concept further I developed a medicine wheel entitled "Layers of Knowledge," (see Figure 4) using information shared by the authors identified within the analysis. This diagram describes the manner I envision the transference of knowledge from one generation to the next.

This model is included at the beginning of this work to depict how other Aboriginal people, specifically the residential school survivors interviewed, have acquired inter-generational layers of knowledge and how this knowledge has shaped their personal life experience.

The transfer of knowledge is important in this study for several reasons: firstly, it illustrates how historic trauma is passed from one generation to the next and,

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[76] Frances Densmore, *Chippewa Customs* (St. Paul: Minnesota Historical Society Press, 1979), 48. For more information on child rearing practices of the Aboriginal people see J. R. Miller, A History of Native Residential Schools;

[77] Marlene Brant Castellano, "Updating Aboriginal Traditions of Knowledge" in *Indigenous Knowledges in Global Contexts: Multiple Readings of our World,* ed. George J. Sefa Dei, Budd L. Hall and Dorothy Goldin Rosenberg (Toronto: University of Toronto Press, 2000), 22.

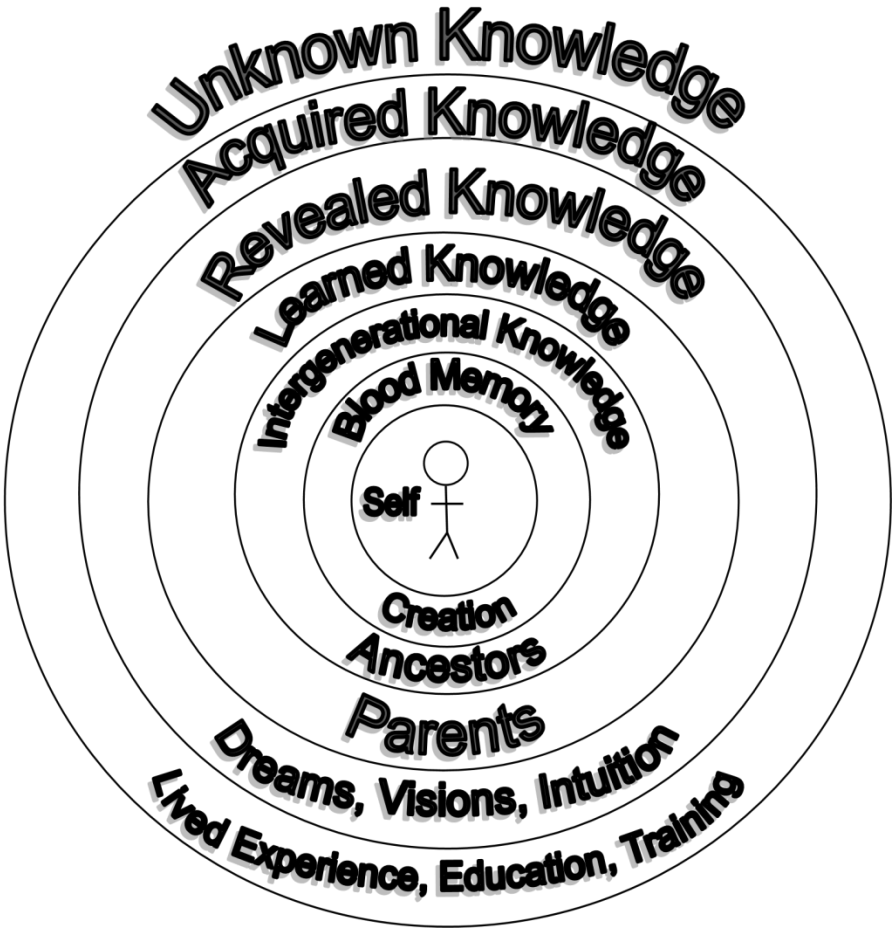
secondly, this knowledge flows through the veins of subsequent generations in what is called "blood memory".[78]

During the residential school era survivors were socialized in an institutional setting that was cold and harsh. As a result, survivors inherited the cold and harsh demeanour that was prevalent in these institutions. Although Aboriginal children grew up despising the treatment they were subjected to by clergy and staff, they unconsciously learned and mirrored this behaviour with their own children because they did not know how to be warm and loving parents.[79] The breakdown within the family unit and the dysfunctional behaviour learned in residential schools is still widespread within Aboriginal families and communities.

[78] Blood Memory will be explained in detail on the next page.

[79] According to Ing the 3rd generation survivors of residential school survivors that studied the residential school legacy have a new understanding that turns to compassion for their parents' lack of effective parenting at p. 76.

**Figure 3: Layers of Knowledge**




The layers of knowledge identified in the above stated diagram are a compilation of various types of knowledge envisioned and organized into a continuum. The circle starts in the centre when an individual is a newborn baby. As Anishinabe, it is believed a newborn baby is born with "blood memory". Blood memory is the connection each individual has within the cells of their body that go back to the time of Creation when the Creator placed the four races of humans on Earth. Within blood memory lives many aspects of our collective being – language,

songs, teachings, interconnectedness to all living things and so on. According to Darrell Boissoneau:

> "Blood-memory is the center of Anishinabe strength. It is a strong thread that ties us…to our ancestors, to the earth and to our deep spiritual beliefs. Our Elders tell us about our innate ability to understand and absorb, our Anishinabe values that have been with us since the beginning of time. They are our ceremonies, our songs and our language.[80]

The first layer of knowledge exists within every human being born into this world. The second layer of knowledge I refer to as "inter-generational knowledge." Inter-generational knowledge is the knowledge our ancestors lived and learned thousands of years ago passed down since time immemorial and onto each successive generation. This layer of knowledge includes responses to the interruption of knowledge transfer such as historic trauma[81] and historic trauma response. Historic trauma and historic trauma response are concepts developed by Dr. Maria Yellow Horse Braveheart.[82] These two concepts (Historic trauma and historic trauma response) will be discussed in more detail in Chapter 3.

The third layer of knowledge is termed "learned knowledge." Learned knowledge is the knowledge acquired directly from our parents. Maria Yellow Horse Braveheart describes the socially learned behaviours our parents passed on to their children in the following manner:

> With the break-up of the extended family, many indigenous women found they had no role models to teach them parenting skills. As many Native

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[80] Darrell Boissoneau, "The Traditional Role of Governance in Aboriginal Communities. Mino-bimimadsiwin Nationhood," (An unpublished paper delivered at Aboriginal Financial Officers Association, National Conference, February 20-22, 2007), (accessed January 15, 2011); also see Georgina Martin, "Drumming My Way Home: A Secwpemc Perspective," *The Canadian Journal of Native Studies*, 31.2 (2011): 107 -116.

[81] Historic trauma has been described by Cynthia Wesley-Esquimaux and Magdalena Smolewski as psychological baggage being passed from parents to children along with the trauma and grief experienced in each individual's lifetime.

[82] Cynthia Wesley-Esquimaux and Magdalena Smolewski *Historic Trauma and Aboriginal Healing* (Ottawa: Aboriginal Healing Foundation, 2004), 54.

> people were raised in boarding schools, the traditional roles and ways of parenting by both Native men and women were lost. The attitudes and norms, which then sprang up in parenting styles, such as, harsh punishment, emotional abandonment, lack of parental involvement, and insensitivity to children's needs added to imbalance in the family. As generations continued with these ways of parenting, the trauma was passed down until many believe it has become a cycle of despair and desperation.[83]

As stated the attitudes and norms each parent passes on to their children is learned knowledge, knowledge the child will in all likelihood pass on to their children.

The fourth layer of knowledge borrowed from Marlene Brant Castellano is termed "Revealed Knowledge".[84] According to Brant Castellano revealed knowledge is acquired through dreams, visions and intuitions understood to be spiritual in origin. In the Anishinabe culture, dreams are very important. Michael Angel describes dreams to Anishinabe in the following manner:

> "Dreams were of great importance in the life of individual Anishinabeg, since they served as the vehicle by which the teachings were passed on or new teachings were revealed. Moreover, as Odinigun's story suggests, visions seen in dreams, and messages received therein, were regarded as "blessings" from the manidoog, which gave them individually the power to survive in the world. The possibility of an ongoing communication with manidoog through visions and dreams ensured that the Anishinabe cosmology was an extremely flexible one."[85]

Revealed knowledge that comes from the spirit realm to an individual is highly regarded knowledge within Anishinabe society. It is seen as knowledge that will assist the individual at some point in their life.

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[83] Ibid, 65.

[84] Marlene Brant-Castellano, "Updating Aboriginal Traditions of Knowledge" in *Indigenous Knowledge's in Global Contexts: Multiple Readings of Our World*, ed. George J. Sefa Dei, Budd L. Hall and Dorothy Goldin Rosenberg (Toronto: University of Toronto Press, 2000), 24.

[85] Michael Angel, *Preserving the Sacred: Historical Perspectives on the Ojibwa Midewiwin* (Winnipeg: The University of Manitoba Press, 2002), 27.

The fifth layer of knowledge an individual attains is "acquired knowledge." Acquired knowledge is new knowledge learned from individual life experiences, co-existence with others and from institutional learning. This type of knowledge is acquired throughout an individual's lifetime from birth to death. The last layer of knowledge is "unknown knowledge". Unknown knowledge is knowledge that exists within the universe that is not presently known to an individual. This layer of knowledge sits outside an individual's knowledge base but exists within the Universe.

The concept of layers of knowledge is important to consider in this study because the knowledge a residential school survivor possesses reaches back to the beginning of time. Thinking of the layers of knowledge that a person possesses one can appreciate the depth of healing required of residential school survivors. Not only do survivors have to think of their own personal healing and reconciliation but they must also travel back to the experiences of their ancestors and the trauma they endured.

## 2.8 Successive Inter-generational Layering of Knowledge

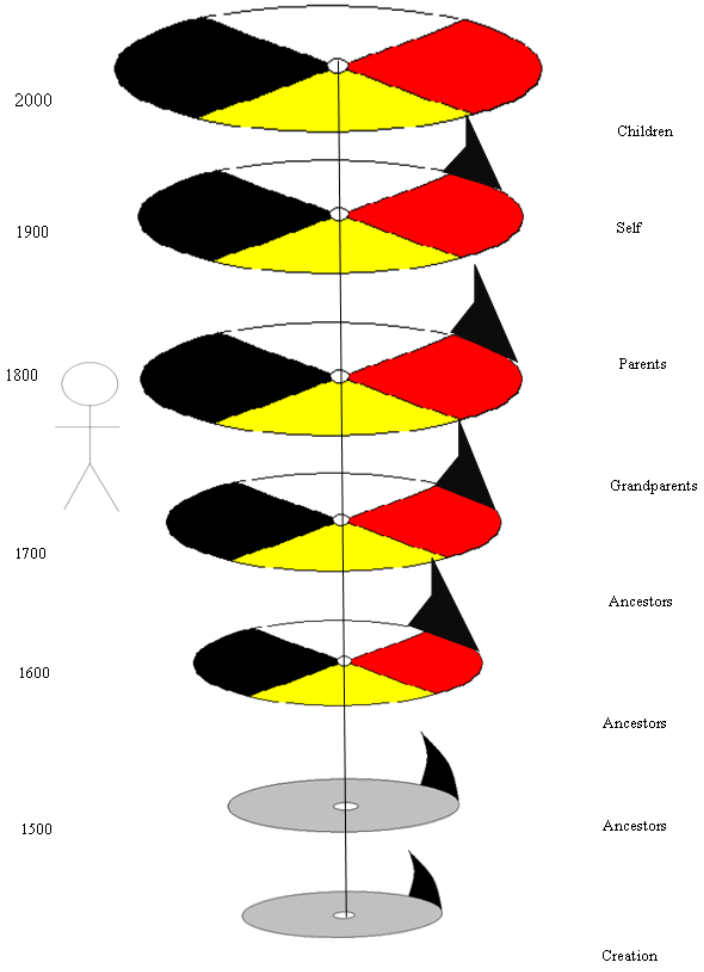
The "successive layers of knowledge"[86] illustrated in Figure 5 represent the continuous flow of knowledge an individual learns within their lifetime and then passes onto subsequent generations. The concepts within this model are borrowed from work completed by Mark Dockstator for the First Nations Regional Longitudinal Health Survey (RHS) 2002/2003.[87]

[86] "Successive Inter-generational Layering," in this context means the continuous acquiring of new knowledge that individuals learn during their lifetime which is transmitted to subsequent generations of family members.

[87] For more information on the work completed by Dr. Mark Dockstator see the First National Regional Longitudinal Health Survey 2002/2003: The Peoples' Report (Ottawa: Assembly of First Nations, 2003), 7.

In an attempt to understand the concepts described in the "Levels of Understanding" I created a model to conceptualize the successive layers of knowledge shown here.

**Figure 4: Successive Intergenerational Layers of Knowledge**




As previously stated since first contact with Europeans, Aboriginal people have passed knowledge from one generation to the next through lived experiences. Every successive generation carries a new experience with colonial society that is then passed on to subsequent generations. With each new generation new experiences

are lived and then passed on to the next generation – spiralling from one generation to the next.

The successive inter-generational layers of knowledge begin with Creation, then on to our ancestors, our great-great grandparents, our great-grandparents, grandparents, parents, self, our children and our grandchildren and so on.

Applying this to my own life, my connection to this topic begins over five hundred years ago and extends into the next seven generations. The extension from Creation onward to the next seven generations and beyond illustrates the ever-flowing interconnectedness between the generations.

In this model the first successive inter-generational layering of knowledge that this analysis begins with is Creation. Within an Aboriginal worldview all things begin with Creation. When the Creator placed the four races of humankind within this world, he placed them each upon a section of the planet with Original Instructions of life to follow. The red race or Aboriginal people were placed on Turtle Island. The Original Instructions[88] given to the Anishinabe were passed to subsequent generations over time.

The next successive inter-generational layer of knowledge is that of the ancestors. As stated previously our ancestors carried knowledge since time immemorial onto subsequent generations. The intergenerational knowledge of the ancestors has been passed from one generation to the next and flows within the residential school survivors interviewed for this dissertation.

The third successive inter-generational layer of knowledge is of my parents. Although this layer of knowledge reflects the learned knowledge of my parents it is

[88] Eddie Benton-Banai states that after Original Man was placed on Earth, he was given instructions by the Creator. Found in *The Mishomis Book*, 5.

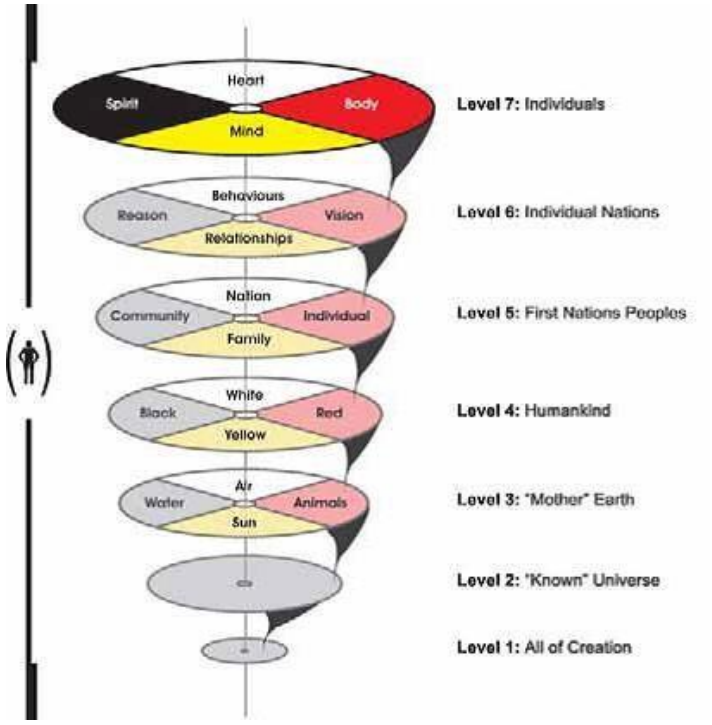
illustrated in this diagram because the inter-generational layering of knowledge has a direct impact upon me as a person. My parents raised me from childhood; therefore, to understand my parents and the impact residential schools had upon them it is important to highlight the connection between residential school survivors and their children. My grandmother also attended residential school.

The fourth successive inter-generational layer of knowledge is that of self. This layer of knowledge is important specifically within this dissertation because it provides the reader with an understanding of the author's worldview and lived experience. The analogy also illustrates the inter-generational impact residential schools have upon the children of residential school survivors.

The fifth and sixth successive inter-generational layers of knowledge are those of my children and grandchildren. Although no references are made to these two generations within this dissertation it is important to note my knowledge will be passed on to my children and grandchildren and so on to future generations.

This model conceived within Anishinabe understanding of Creation illustrates the connection generations of family members have to one another and how knowledge is transferred from one generation to the next. The layers referred to in this analogy are similar to the levels of understanding described in the First Nations Regional Longitudinal Health Survey (RHS) 2002/2003 and illustrated here.

**Figure 5: Levels of Understanding**




In this model each level of understanding is connected to the preceding level of knowledge.[89] The spiral of understanding extends from Creation, to the Universe, to Mother Earth and on to individuals in a continuous evolving motion.

The interconnectedness of the layers of knowledge are similar to the levels of understanding, only a generational analogy is used to illustrate the impacts residential schools had upon students and successive generations of family members as shown in Figure 5.

In this chapter various Anishinabe concepts and models were discussed to assist the reader in understanding the framework of this dissertation. As an Anishinabe Kwe the easiest way to tell a story is through a lens which is most familiar and comfortable to the author. In this instance it was an Anishinabe methodology that allowed this dissertation to unfold.

[89] Assembly of First Nations, *First Nations Regional Longitudinal Health Survey (RHS) 2002/03: The Peoples' Report* (Ottawa: Assembly of First Nations, 2003), 7.

# Chapter 3.0 Taking Away the Waterdrum: Colonization and the Residential School Legacy

Since the beginning of time the Anishinabe Waterdrum has sounded its voice within the Midewiwin Lodge. But this slowly changed after European contact. By the 1800s, the federal government began implementing laws and policies to assimilate Aboriginal people into mainstream society. The Indian Act,[90] in particular, provided far-reaching legislation to control the lives of First Nations people from cradle to grave. During this time whatever aspects of self-government remained in Aboriginal communities was replaced in an effort to speed up integration.[91] In 1885 the federal government made an amendment to the Indian Act prohibiting religious ceremonies and dances.[92] Then in 1895 the Indian Act was amended further to include the prohibition of all dances, ceremonies and festivals that involved the wounding of animals or humans, or the giving away of money or goods.[93] These two amendments to the Indian Act had a devastating impact upon the culture of the Anishinabe. It was during this dark time the voice of the Waterdrum was silenced.

The prophets warned the Anishinabe of this time many years ago. According to the prophecy in the time of the Sixth Fire the language and religion would be taken from the Anishinabe children. The significance of this prophecy is within the accuracy of the predictions.

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[90] The Indian Act was implemented in 1876 to regulate every aspect of the lives of First Nations people in an effort to promote assimilation. The Indian Act regulates who is a band member, who can vote in a band election, who can own land of a reserve etc. This legislation still exists today.
[91] Historica-Dominion, "The Potlach" in *Lesson Plan Exchange*. http://www.historicadominion.ca/content/education/potlach (accessed August 1, 2013)
[92] Indian Act – Amendments. http://www.langdon.rockyview.ab.ca/Members/ndutchik/social-studies-91/unit-1 (accessed May 31, 2013).
[93] Ibid.

## 3.1 The Original Way of Life

For the Anishinabe of the Great Lakes region, subsistence was based upon hunting, fishing and gathering.[94] In the spring they travelled from their winter hunting camps to rejoin other bands at their fishing sites.[95] The lifestyle of the Anishinabe allowed them to move from one place to another quite easily.[96] The governing system of the Anishinabe was contained within the clan system.[97] The education of children conducted by Elders and spiritual leaders was based upon principles of respect, humility, sharing, caring, healing, generosity, cooperation, patience, humour, and a willingness to help others.[98] The policing of the camp was undertaken by the bear clan people within the village.[99] Children were taught proper behaviour by role-modelling and by direct non-coercive means such as ridicule and warning.[100]

Children were seen as gifts, loans or souls sent by the Creator, with parents, extended family members and the community at large all taking responsibility for nurturing, protecting and guiding them.[101] They were accustomed to being free to wander and learn from the surroundings of their homelands. The Anishinabe parents' role was to guide and teach their children by example, but never by interference.[102] Non-interference within Aboriginal society was seen as promoting positive

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[94] Alan D. McMillan, *Native People and Cultures of Canada*, 2nd ed. (Vancouver: Douglas & McIntyre, 1995), 105.
[95] Ibid.
[96] Ibid, 107.
[97] James Dumont, "Justice and Aboriginal People," in *Report of the Aboriginal Justice Inquiry of Manitoba. Research Paper for Aboriginal Justice Inquiry*, (September 1990), 80.
[98] Agnes Grant, *No End of Grief: Indian Residential Schools in Canada* (Winnipeg: Pemmican Publications Inc., 1996), 35.
[99] James Dumont, "Justice and Aboriginal People," in *Report of the Aboriginal Justice Inquiry of Manitoba. Research Paper for Aboriginal Justice Inquiry*, (September 1990), 80.
[100] J. R. Miller, *Shingwauk's Vision: A History of Native Residential Schools* (Toronto: University of Toronto Press, 1996), 18.
[101] Aboriginal Healing Foundation, *Aboriginal People, Resilience and the Residential School Legacy*. (Ottawa: Aboriginal Healing Foundation, 2004), 24.
[102] Canada, *Manitoba Public Inquiry into the Administration of Justice and Aboriginal People.* Report of the Aboriginal Justice Inquiry 2, (Winnipeg: Queen's Printer, 1991), 31. [88]Ibid, p. 32.

interpersonal relationships and stems from a high degree of respect for the individual's independence.

Similar in context to the notion of warnings was the use of storytelling to teach Aboriginal children. According to Miller it was through storytelling children learned how their world came to be and where they fit into it.[103] Parents used storytelling to reprove disobedient children and Elders told stories of how disobedient children were punished by supernatural beings or forces. If a child had misbehaved during the day they would be told these stories and by evening the child would be ready to confess for fear of being punished by the supernatural.[104] The traditional teachings of the Anishinabe childrearing provided children adequate space to create their individuality while also ensuring they understood their communal responsibilities and connection to all living things. Children were taught at a young age not to disrespect the cosmos for consequences would surely follow any inappropriate action on their part. These childrearing practices changed drastically when children were sent to residential schools.

## 3.2 Life in a Residential school

The traditional upbringing Aboriginal children were accustomed to changed forever during the residential school era. Instead of being free to learn and explore, they were expected to attend mass, work and attend class from daybreak to sunset.[105]

According to a Survivor:[106]

[103] J. R. Miller, *Shingwauk's Vision: A History of Native Residential Schools* (Toronto: University of Toronto Press, 1996), 25.
[104] Canada, *Manitoba Public Inquiry into the Administration of Justice and Aboriginal People.* Report of the Aboriginal Justice Inquiry 2, (Winnipeg: Queen's Printer, 1991), 18. http://www.aincinac.gc.ca/ch/rcap/sg/sg29_3.html (accessed September 4, 2006).
[105] Basil Johnston, *Indian School Days* (Toronto: Key Porter Books, 1988), 47.
[106] Interview with [#2-ADR] from Manitoba, October 21, 2009.

> I've been in jail a few times, jail is a picnic compared to what I went through there, and there was more freedom than residential school. [#2-ADR]

The residential school policy has been criticised by many Aboriginal academics that described the implementation of residential schools as an attempt of genocide.[107] These views reflect the stories of cruelty, hunger and unusual treatment of survivors at the hands of residential school staff living in residential schools. Some of these stories are shared to provide an image of life in a residential school.

## A. Removal:

The first experience every child had was leaving home. Children were ordered to attend residential schools by those in positions of power. Suzanne Fournier stated that:

> Our Sto: lo life was stolen away. The children were removed by priests, social workers and police to residential schools...[108]

For most survivors, being removed from their parents and their community was a traumatic experience. But the trauma did not end there. When the children arrived at the school they were confronted with more shocking experiences:

> Our home clothes were stripped off and we were put in the tub. When we got out we were given new clothes with wide black and white strips. Much later I discovered that this was almost identical to the prison garb of the time. We were also given numbers. I was 58 and Rosie was 57. Our clothes were all marked in black India ink – our blouses, skirts, socks, underwear, towels, face-cloths – everything except the bedding had our marks on it. Next came

[107] For more information regarding these views see Roland Chrisjohn, S. Young and M. Maraun, *The Circle Game: Shadows and Substance in the Indian Residential School Experience in Canada*, 2nd ed. (Penticton: Theytus Books Limited, 2006), 21 and Ward Churchill, *Kill the Indian, Save the Man: the Genocidal Impacts of American Indian Residential Schools* (San Francisco: City Lights Books, 2004), 8.

[108] Suzanne Fournier, *Stolen from our Embrace* (Vancouver: Douglas & McIntyre, 1998), 22.

> the hair cut. Rosie lost her ringlets and we both had hair cut short over our ears and almost straight across the top with bangs…[109]

Most survivors share the same memory of how their lives changed forever after they attended residential school. Just as most parents shared the reluctance of sending their children to attend residential school. But parents knew they had no choice but to abide by the law. The Indian Agent ordered those in trouble with the law or orphaned with no one to care for them to attend residential school.[110] Others wanted to go because their siblings were going.[111] Regardless of the reason a child was sent to residential school the impact was the same; children felt lonely and scared in the first weeks away from home.[112]

**B. Loneliness:**

Celia Haig-Brown states that for children attending residential school bed time was probably one of the most difficult times for them because the children longed for their parents, the warmth of the family bed and the sense of security which they had known.[113] Children had to sleep alone, a practice not common in Aboriginal households. Children in Aboriginal families were accustomed to sleeping with other

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[109] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential school at Shubenacadie, Nova Scotia* (Nova Scotia: Roseway Publishing, 1992), 22.
[110] In a discussion with my late Father, Eldridge McGahey he told me that he was an orphan, both of his parents died when he was young therefore he was taken care of by other families. He said that he was sent to residential school because he was an orphan.
[111] Personal story told to me by my late Mother, Jeanette Riley bah of why children were sent to residential school. According to her recollection her sister was sent to residential school because she got in trouble with the law. Her sister was ordered to attend residential school because of the trouble she was in. So, my mother wanted to go with her and she went to residential school too. My mother also told me that many children in the community had no one to take care of them because their parents were separated or their parents died so they were ordered by the Indian Agent to attend residential school.
[112] Michael Cooper, *Indian School: Teaching the White Man's Ways* (New York: Clarion Books, 1999), 31.
[113] Celia Haig-Brown, *Resistance and Renewal* (Vancouver: Arsenal Pulp Press, 1988), 75.

siblings in one bed[114] and having the comfort of older brothers and sisters when they needed it. But, once here all of the familiar customs were ridiculed and no longer permitted, leaving children alone, scared and vulnerable.

**C. Isolation:**

The Federal government's policy of assimilation did not end by merely taking the children away from their communities and their parents. Children were separated from their siblings and friends and not allowed to associate with them while attending school. The staff separated the girls from the boys; therefore, brothers and sisters could not communicate. They also separated age groups. Younger siblings no longer had the comfort of their older brothers or sisters. For some children this incredible loneliness was unbearable and caused many to become ill and others to die.[115]

One survivor interviewed for this study stated how she was separated and isolated from her brothers at residential school and described the incident in this way.

> My brothers and I were in the same school, but I didn't see them, they were on the boys' side and I was on the girls' side, we were never close after that. He's gone now, he was telling me that I remember the first day we went there he said, him and my other brother, he said at least we had each other, he said if you didn't have anybody the nuns were pulling your arms down the hallway, you were kicking and screaming. I didn't remember that, he was older. That was the beginning of the separation. [#6-CEP][116]

Stories of this type of separation was common to many sisters and brothers that attended residential school. The AHF stated the federal government separated children to ensure the children's minds were trained and weaned of the habits and feelings of their ancestors so they would learn the language, arts and customs of

[114] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential school at Shubenacadie, Nova Scotia* (Nova Scotia: Roseway Publishing, 1992), 30.
[115] Sylvia Olsen, R. Morris and A. Sam, *No Time to Say Goodbye. Children's Stories of Kuper Island Residential School* (Victoria: Sono Nis Press, 2001), 56.
[116] Interview with [#6-CEP] in Ontario, August 24, 2009.

civilized life."[117] The isolation and brainwashing of students had a devastating impact upon them. Ida Wasacase shared her story with Agnes Grant, in *Finding My Talk*, of how the brainwashing of the residential school made her think she was superior to her parents who still clung to their traditional ways, when she returned home.[118] The fact that children disrespected their parents when they returned home demonstrates the damage residential schooling created within the family unit. This is one example of how the family relations were disrupted. Not only did this disruption impact the child but it also obstructed the transference of traditional knowledge and inter-generational knowledge.

**D. Punishment:**

Residential schools were not only lonely places but they were also very strict institutions that utilized corporal punishment to condition the behaviour of the students and to instil fear within them. The stories told by many survivors about the types of punishment they received at residential school are both horrendous and repulsive. Regardless of where the student attended school the stories are similar and ring of appalling mismanagement.

In British Columbia, Suzanne Fournier stated that, "Some Sto: lo that went to St. Mary's had pins stuck in their tongues for speaking their Indian language by the priests."[119] At Kuper Island residential school in British Columbia the priests kept a "Conduct Book", a big black ledger that detailed the punishments given to the children. Some of the entries in this book state:

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[117] Aboriginal Healing Foundation, *Aboriginal People and Sex Offending in Canada* (Ottawa: The Aboriginal Healing Foundation, 2002), 15.
[118] Agnes Grant, *Finding My Talk* (Calgary: Fifth House, 2004), 29.
[119] Suzanne Fournier, *Stolen from our Embrac*e (Vancouver: Douglas & McIntyre, 1998), 24.

> In 1900, the little Coast Salish boy David Fallardeau was confined to bread and water for "entering an Indian house." On September 6, 1903, Thomas, No. 117, was whipped and locked up for "stealing apples." Albert, No. 77, tried to escape on September 21, 1897, only to be "arrested and given five strokes of the strap." In 1897, Charles No. 62, got "a few slaps" for "disturbing the dorm," was forced to kneel down for an entire day for being "insolent," and when truant received "a public reprimand and lashes."[120]

Judith Ennamorato stated that head shaving as a punishment in residential schools was considered far harsher than strapping, due in part to the traditional associations.[121] Other haunting stories included survivors punished by scrubbing cement floors on their hands and knees,[122] going hungry, [123] standing for hours with their nose pressed against a circle on the blackboard[124] and being locked in a closet.[125]

One survivor stated they were punished by the other children in the schools.

> I was abused by the children that were there, like they would use safety pins to poke us, like they're playing doctor and they would pick another kid that wasn't playing and they would use them for guinea pigs. I got poked in the arm from those pins a lot of times, they would pick me and drag me over there saying I had to get a shot, and they really poke me, they didn't just say pretend, it was for real…you got poked and that hurt. I never bothered looking for scars, but I sure had a bunch of holes in my arms, every time they'd play doctor and nurses, I'd get picked because I was the smallest. [#3-CEP][126]

These incidents of punishment were normal occurrences in residential schools. The cruel and harsh punishment survivors received in residential schools created considerable damage to them later in life.

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[120] Ibid, 59.

[121] Judith Ennamorato, *Sing the Brave Song* (Schmoberg, Ontario: Raven Press, 1999), 104.

[122] Ibid.

[123] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential School at Shubenacadie, Nova Scotia* (Nova Scotia: Roseway Publishing, 1992), 36.

[124] Michael Cooper, *Indian School: Teaching the White Man's Way* (New York: Clarion Books, 1999), 49.

[125] Sylvia Olsen, R. Morris and A. Sam, *No Time to Say Goodbye. Children's Stories of Kuper Island Residential School* (Victoria: Sono Nis Press, 2001), 56

[126] Interview with [#3-CEP] |Ontario, July 28, 2009.

## E. Sexual Abuse:

According to Knockwood, incidents of sexual abuse in residential schools have been extensively documented.[127] Students were not only sexually assaulted by the authorities in charge of these schools but were also abused by other children.[128] And in some cases reports indicate all the children at some schools were sexually abused.[129] The following quote was provided by a survivor:

> I was only a nine-year-old kid. I don't know whether he was a priest or brother. He had a black gown – that outfit that they wear. He told me that he works for God, that God is his friend, and if I did things for him then God would take me to heaven. I remember he opened a drawer – he was standing next to his desk – and he opened the drawer and put his leg up there. He had nothing on underneath – I could see his face – his hairy legs…I wouldn't – so he strapped me and told me that I was going to Hell.[130]

Many survivors share stories such as this. Many have disclosed these abuses in their claims for compensation, others have disclosed during hearings of the Truth and Reconciliation Commission (TRC), while some have never disclosed and continue to live in silence. Most of these children had to live with the shame and guilt of being sexual assaulted throughout their life before ever disclosing, causing them considerable anguish throughout their life.

## F. Spiritual Abuse:

Another form of mistreatment children were subjected to on a daily basis was spiritual abuse. The priests and nuns brainwashed the children by instilling in them the fear of God. The children were told everything they did was a sin and if they did

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[127] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential School at Shubenacadie, Nova Scotia* (Nova Scotia: Roseway Publishing, 1992), 91.
[128] Ibid, 91.
[129] Ibid, 16.
[130] Ibid, 94.

not obey they would get punished.[131] Knockwood stated it took her a long time before she could grasp the idea of sin.[132] For Aboriginal children the fear of spiritual repercussions was one of the entities they had been taught to fear most. Therefore, when they were told they would be punished by God for their sins, they were deeply disturbed and did what they could to stay in the good graces of the spiritual realm.

> For those who had experienced an introduction to Catholicism before leaving home and whose parents had adopted and adapted the religion as a part of their way of life, the cultural shock of the teachings had less impact. For others, the values enforced by the teachings of the religion, particularly the notions of evil, sin, guilt, and hell fire were foreign and fearsome. The long term effects of these teachings were many; in some case they are still being felt. The use of religion as a weapon in the attack on traditional native spirituality and other cultural aspects was particularly devastating to those individuals whose families were already struggling with the changes expected of them.[133]

The spiritual abuse children suffered at the hands of priests and nuns was both harsh and cruel with lasting impacts. Children were young and vulnerable; their natural instinct was to trust the adults around them and to believe what they were taught. Therefore, many left residential schools believing that practicing their traditional ways was a sin worthy of punishment from God. Because residential schools were administered by people who claimed they worked for God and because the abuses that were made against the children were cloaked under the guise of God, spiritual abuse may be one of the worst abuses that occurred during this time for many children suffered from broken spirits.[134]

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[131] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential School at Shubenacadie, Nova Scoti*a (Nova Scotia: Roseway Publishing, 1992), 83.
[132] Ibid, 31.
[133] Celia Haig-Brown, *Resistance and Renewal* (Vancouver: Arsenal Pulp Press, 1988), 64.
[134] Bev Sellars, *They Called Me Number One*, (Vancouver: Talon Books, 2013), 98.

## 3.3 Theories Explaining the Aftermath of the Residential School Legacy

In the past twenty years Aboriginal communities and researchers have worked tirelessly to fully understand the impacts the residential school legacy had upon communities. The AHF found the impacts of residential schooling included disruption of family relations, especially rights of parents to transmit their identity to the next generation; violation of trust inherent in colonial oppression; and withholding of communication and silent suffering.[135] New theories, such as the residential school syndrome, have emerged identifying the roots of the problems and explaining the resulting symptoms and behaviours. What is not fully understood is the extent of the damage. One can only estimate the damage the legacy has had upon Aboriginal communities by looking at the devastation visible in Aboriginal communities across Canada.

Literature discussing the various theories explaining the impacts of the residential school legacy has been published by the AHF and other leading scholars beginning in 1998.

### A. Historic Trauma Transmission

Wesley-Esquimaux and Smolewski proposed a new model of trauma entitled historic trauma transmission.[136] Historic trauma transmission can be described as collective non-remembering passed from generation to generation, just as the maladaptive social and behavioural patterns are symptoms of many different social

[135] Aboriginal Healing Foundation, *Warrior-Caregivers: Understanding the Challenges and Healing of First Nations Men* (Ottawa: Aboriginal Healing Foundation, 2005), 61.
[136] Cynthia Wesley-Esquimaux, and M. Smolewski, *Historic Trauma and Aboriginal Healing* (Ottawa: Aboriginal Healing Foundation, 2004), 3.

disorders caused by the historic trauma.[137] The symptoms of historic trauma transmission are described as:

> …manifestation of maladaptive social patterns, (for example, suicide, domestic violence, sexual abuse, interpersonal maladjustment). Symptoms are not caused by the trauma itself; the historic trauma disrupts adaptive social and cultural patterns and transforms them into maladaptive ones that manifest themselves in symptoms. In short, historic trauma causes deep breakdowns in social functioning that may last for many years, decades or even generations. The clusters of symptoms associated with specific disorders that manifest themselves as a result of historic trauma may be passed to next generations in a form of socially learned behavioural patterns. In a sense, symptoms that parents exhibit (family violence, sexual abuse) act as a trauma and disrupt adaptive social adjustments in their children. In turn these children internalize these symptoms and, not to trivialize, catch a "trauma virus" and fall ill to one of the social disorders. In the next generation, the process perpetuates itself.[138]

Historic trauma transmission is passed from one generation to the next by the learned behaviours demonstrating how the cycle of trauma is perpetuated.

## B. Historic Trauma Response

Dr. Maria Yellow Horse Brave Heart conducted research regarding another form of trauma called historic trauma response.[139] According to Yellow Horse Brave Heart the concepts of historical trauma and historical trauma response (HRT)[140] derive from a set of behavioural and psychological responses formed in reaction to the trauma a group of people has endured comparable to the survivor syndrome manifested by Jewish Holocaust survivors and their descendants.[141] According to this theory, HTR symptoms include elevated suicide rates, depression, self-destructive

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[137] Ibid, 65.
[138] Ibid, 65.
[139] Maria Yellow Horse Brave Heart, "Oyate Ptayela: Rebuilding the Lakota Nation through Addressing Historical Trauma and Lakota Parents," *Journal of Human Behavior and Social Environment* 2 (1999): 109 – 126.
[140] Ibid.
[141] Ibid.

behaviour, substance abuse, identification with the pain ancestors endured, fixation to trauma, somatic symptoms that do not have a medical reason, anxiety, guilt and chronic grief.[142] Yellow Horse Brave Heart proposes that an important element of HTR theory is the transmission of trauma through consecutive generations, as discussed earlier. It is interesting to note the HTR symptoms identified, such as elevated suicide rates, depression, and self-destructive behaviour are also common problems found in almost any Aboriginal community in Canada. Indicators such as this provide psychological evidence of the effects colonization and assimilation had upon Aboriginal people.

### C. Trauma Theory in Childhood Abuse

According to Herman, repeated trauma in adult life erodes the structure of the personality already formed, but repeated trauma in childhood forms and deforms the personality.[143] Therefore, when Aboriginal children attended residential school and were repeatedly brainwashed, physically, mentally, emotionally, spiritually abused and sexually assaulted, their personalities were changed forever. They were no longer happy and content children; they were unhappy and frightened.

While most survivors of childhood abuse emphasize the chaotic and unpredictable enforcement of rules, some describe a highly organized pattern of punishment and coercion.[144] Such patterns were common at residential schools. In one example, a young girl knew her sister was wetting her bed, so the older sister stayed awake most of the night to wake her sister and take her to the bathroom. She

[142] Ibid.
[143] Judith Herman, *Trauma and Recovery: the Aftermath of Violence – from Domestic Abuse to Political Terror* (New York: Basic Books, 1992), 96.
[144] Ibid, 99.

knew other children that wet the bed were severely punished and publicly embarrassed by the staff and she didn't want her sister to be punished.[145] These survivors often report punishments similar to those in political prisons, such as intrusive control of bodily functions, such as forced feeding, starvation, use of enemas, sleep deprivation, or prolonged exposure to heat or cold. Others describe actually being imprisoned: tied up or locked in closets or basements.[146] The childhood abuse these children endured created inner turmoil making it difficult for them to function as adults. According to Finkelhor and Brown, sexual abuse trauma has the following impact upon a child:

> … the four trauma-causing factors, or what we will call traumagenic dynamics – traumatic sexualization, betrayal, powerlessness, and stigmatization dynamics alter children's cognitive and emotional orientation to the world, and create trauma by distorting children's self-concept, world view, and affective capacities.
>
> For example, the dynamic of stigmatization distorts children's sense of their own value and worth. The dynamic of powerlessness distorts children's sense of their ability to control their lives. Children's attempts to cope with the world through these distortions may result in some of the behavioural problems that are commonly noted in victims of child sexual abuse.[147]

Many of the characteristics described here are exhibited in residential school survivors. These data also provide a linkage to the abundance of social problems in First Nation communities.

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[145] Isabelle Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential School at Shubenacadie, Nova Scotia* (Nova Scotia: Roseway Publishing, 1992), 83.
[146] Ibid, 99.
[147] David Finkelhor and A. Browne, "The Traumatic Impact of Child Sexual Abuse: A Conceptualization," in *American Journal of Orthopsychiatry 55* no. 4, (October 1985), 530.

## D. Inter-generational Trauma

According to Wesley-Esquimaux and Smolewski, Aboriginal people on the inside of anthropological, psychological and social welfare studies have identified a phenomenon termed "generational grief" a continuous passing of unresolved and deep seated emotions such as grief and chronic sadness to successive descendants.[148] The AHF has described the effects of unresolved psychogenic trauma on Aboriginal people, termed generational, intergenerational or multigenerational grief as:

> Intergenerational or multi-generational trauma happens when the effects of trauma are not resolved in one generation. When trauma is ignored and there is no support for dealing with it, the trauma will be passed from one generation to the next. What we learn to see as "normal", when we are children, we pass on to our own children. Children who learned that physical and sexual abuse is "normal", and who have never dealt with the feelings that come from this, may inflict physical abuse and sexual abuse on their own children. The unhealthy ways of behaving that people use to protect themselves can be passed on to children, without them even knowing they are doing so.[149]

The effects of intergenerational and multi-generational trauma as described here is evident in Aboriginal communities confirming the impacts residential schools had upon Aboriginal people. The TRC reaffirmed this finding during their consultation with Aboriginal people across Canada stating:

> The impacts of residential schools have not ended with those who attended the schools. They affected the Survivors' partners, their children, their grandchildren, their families and their communities.[150]

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[148] Cynthia Wesley-Esquimaux and M. Smolewski, *Historic Trauma and Aboriginal Healing* (Ottawa: Aboriginal Healing Foundation, 2004), 2.

[149] Aboriginal Healing Foundation. *Aboriginal Healing Foundation Program Handbook*, 2nd Edition. (Ottawa: Aboriginal Healing Foundation, 1999), A5.

[150] Truth and Reconciliation Commission of Canada, Final Report of the Truth and Reconciliation Commission of Canada, Volume One: *Summary, Honouring the Truth, Reconciling for the Future, Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Toronto: James Lorimer & Company Ltd. 2015), 135.

In another study of intergenerational impacts of residential school, Rosalyn Ing identifies characteristics similar to those of intergenerational trauma. She summarized the impacts of 1st Generation impacts of residential school as:

> …denial of First Nations identity, believe myths/lies about First Nations people, shame, poor self-esteem, silence on past, communication difficulties, expectation to be judged negatively, father controlling, experience of racism, violence and physical abuse in family, sexual abuse, alcoholism and parents who value education."[151]

Her observations of 2nd Generation family members found that:

> "…their parents have university education, there is strong influence of a grandparent in family, guilt from feeling shame, anger, emotional distance, silence in relationships, lack of affection, poor interpersonal skills, parenting affected, speaking of language, non-teaching of language to children, overprotection of children through fear, healing through First Nation intervention, Western therapy, personal healing through Elders, militaristic communication, father away from home too much, healing through family, stopping of cycle of poor parenting, departure from abusive relationships, and attendance at residential school healing workshops.[152]

She went on to describe 3rd Generation impacts as:

> …suffering from inferiority complex, experience loyalty, incarceration, independence, language loss, lack of emotional support from family, ability to control anger toward parents, good parenting, perfectionism, reclaiming of identity, learning of conflicts in school system, and teaching of children to be proud of culture.[153]

Then 4th Generation impacts were identified as:

> …overprotection of children through fear, an admission of militaristic communication, good parenting, learning of conflicts in school system, and teaching children to be proud of culture.[154]

Ing's research provides an excellent analysis of the impacts residential school had upon 2nd and 3rd generation family members of residential school survivors. In

[151] Rosalyn N. Ing, "Dealing with Shame and Unresolved Trauma: Residential school and its Impact on the 1st and 2nd Generation Adults" (Ph. D. diss. University of British Columbia, 2000), 121.
[152] Ibid, 123.
[153] Ibid, 125.
[154] Ibid, 126.

this study the 2nd generation survivors clearly illustrate resilience and movement forward by obtaining higher education while at the same time still illustrating strong characteristics learned in residential schools such as lack of affection and militaristic parenting styles. Researchers such as Ing, Wesley-Esquimaux and Smolewski have demonstrated that inter-generational survivors feel the impacts of residential school trauma.

## E. Post-Traumatic Stress Disorder

For many years the symptoms that residential school survivors experienced in adult life have been diagnosed as Post-Traumatic Stress Disorder (PTSD). According to the Canadian Mental Health Association PTSD is normally caused by an unexpected traumatic experience. They described the disorder in the following manner:

> … sometimes people experience an event which is so unexpected and so shattering that it continues to have a serious effect on them, long after any physical danger involved has passed. Individuals with this kind of experience may suffer flashbacks and nightmares, in which they re-live the situation that caused them intense fear and horror. They may become emotionally numb. When this condition persists for over a month, it is diagnosed as post-traumatic stress disorder.[155]

PTSD was first introduced into the American Diagnostic and Statistical Manual (DSM) in 1989.[156] According to the American DSM, PTSD arises from external trauma and terrifying experiences that break a person's sense of predictability, vulnerability and control.[157]

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[155] Canadian Mental Health Association, Post-Traumatic Stress Disorder, http://www.cmha.ca (accessed July 4, 2013).
[156] T. Mitchell and D. Maracle, "Healing the Generations: Post-traumatic Stress and the Health Status of Aboriginal Populations in Canada" *Journal of Aboriginal Health*, March 2005, 14-23.
[157] Ibid, 16.

Wesley-Esquimaux and Smolewski state that PTSD is where a person may complain of feeling detached or estranged from other people and the person's ability to feel emotions of any type, especially those associated with intimacy, tenderness and sexuality is markedly decreased.[158]

PTSD is commonly diagnosed by those in the army or have been in combat. The diagnostic criterion for PTSD is described as:

> ...exposure to an external trauma that results in intense fear, helplessness, or terror that endures for 30 days or more and results in significant social or occupational distress. PTSD affects individuals in a vicious cycle of denial, avoidance, and becoming overwhelmed with memories and related feelings. The impact of PTSD affects the mind, emotions, body and behaviour. Mentally, people who are traumatized may develop negative beliefs about themselves and their world. Emotionally, they may experience cycles of denial and anxiety. Physically, they can experience sleep disturbance, heightened sensitivity and anxiety, nightmares, and flashbacks. Behaviourally, they may avoid certain situations, isolate themselves socially, drink, and become increasingly aggressive.[159]

Wesley-Esquimaux and Smolewski state that:

> PSTD and Historic Trauma Response (HTR) are different…PTSD happens around an event, an event with a beginning and end. For Native people, the trauma continues. There hasn't been an end. It is seen in the racism Native people face every day, and in the ignorance of the dominant society. It is especially seen in the school systems, the mental and chemical health systems, and in the lack of appropriate resources which are culturally meaningful.[160]

As stated, PTSD has a beginning and an end. During wartime, many of the men and women that were in the army suffered from PTSD. For these men and women the war had a start and an end. For survivors of residential school there has been no end to the residential school legacy.

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[158] Ibid, 50.
[159] T. Mitchell and D. Maracle, "Healing the Generations: Post-Traumatic Stress and the Health Status of Aboriginal Populations in Canada," *Journal of Aboriginal Health*, March 2005, 14-23.
[160] Ibid, 55.

## F. Residential School Syndrome

According to the AHF, the trauma individuals suffered while in residential school has been termed, "Residential School Syndrome." Similar to PTSD, residential school syndrome has been identified as a distinct cluster of problems and behaviours which explain the mental health outcomes of some survivors of the residential school system.[161]Residential School Syndrome has been characterized by the following symptoms:

> …recurrent intrusive memories, nightmares, occasional flashbacks, and quite striking avoidance of anything that might be reminiscent of the Indian residential school experience. At the same time, there is often a significant detachment from others, and relationship difficulties are common. There is often diminished interest and participation in [A]boriginal cultural activities and markedly deficient knowledge of traditional culture and skills. Often there is markedly increased arousal including sleep difficulties, anger management difficulties, and impaired concentration. As might be the case for anyone attending a boarding school with inadequate parenting, parenting skills and are often defiant. Strikingly, there is a persistent tendency to abuse alcohol or sedative medication drugs, often starting at a very young age.[162]

Brasfield states there is a significant difference between residential school syndrome and PTSD in that "there is a significant cultural impact and a persistent tendency to abuse alcohol or other drugs that is particularly associated with violent outbursts of anger."[163] Residential School Syndrome has also shown a deficiency in the parenting skills of survivors.[164]

Research has found the disorder can become so severe an individual finds it

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[161] Aboriginal Healing Foundation, *Mental Health Profiles for a Sample of British Columbia's Aboriginal Survivors of the Canadian Residential School System* (Ottawa: The Aboriginal Healing Foundation, 2003), 23.
[162] Ibid, 23.
[163] Charles R. Brasfield, "Residential School Syndrome," *B. C. Medical Journal* 43, no. 2, (March 2001), 79.
[164] Ibid, 79.

difficult to lead a normal life.[165] Restoule states the medical profession has had trouble labelling Residential School Syndrome because there is no agreement on the diagnostic criteria for such a syndrome. She identifies and outlines the suggested criteria for the diagnosis of Residential School Syndrome shown here in Table 1.[166]

**Table 1. Diagnostic Criteria for Residential School Syndrome**

**A. The person has attended an Indian Residential school or is closely related to or involved with a person who has attended such a school.**

(1) The school attendance was experienced as intrusive, alien and frightening.

(2) The person's response to the school attendance involved fear, helplessness, passivity and expressed or unexpressed anger.

**B. The effects of attendance at the Indian Residential school persist following cessation of school attendance in one (or more) of the following ways:**

(1) Recurrent and distressing recollections, including images, thoughts or perceptions

(2) Recurrent distressing dreams of the Indian Residential schools

(3) Acting or feeling as if the events or Indian Residential school attendance were recurring (include a sense of reliving the experience, illusions, hallucinations, and dissociate flashback episodes, including those that occur on awakening or those that occur when intoxicated.

(4) Intense psychological distress at exposure to internal or external cues that symbolize or resemble an aspect of the Indian Residential school attendance.

(5) Physiological reactivity on exposure to internal or external cues that symbolize or resemble an aspect of the Indian Residential school attendance.

**C. Persistent symptoms of increased arousal (not present before Indian Residential school attendance), as indicated by two (or more) of the following:**

(1) Difficulty falling or staying asleep

(2) Irritability or outbursts of anger, particularly when intoxicated with alcohol

(3) Difficulty concentrating, particularly in a school setting

(4) Hypervigilance, particularly with regard to non-First Nations

[165]Aboriginal Healing Foundation, *Mental Health Profiles for a Sample of British Columbia's Aboriginal Survivors of the Canadian Residential school System* (Ottawa: Aboriginal Healing Foundation, 2003), 1.

[166]Brenda Restoule, "Post Traumatic Stress Disorder and Residential schools" (A paper delivered at Residential school Conference, Sault Ste. Marie. November 17, 2004).

| |
|---|
| social environments<br>(5) Exaggerated startle response |
| **Symptoms may also include:**<br>**D.** Markedly deficient knowledge of one's own First Nations culture and traditional skills<br>**E.** Markedly deficient parenting skills, despite genuine fondness for offspring<br>**F.** A persistent tendency to abuse alcohol or sedative medication/drugs, often starting at a very young age |

As illustrated there are some basic tools for the treatment of Residential School Syndrome, which can help survivors of the residential school experience. These treatments include critical incident stress debriefing, early management, individual psychotherapy targeted at symptom clusters, peer group support (especially for chronic PTSD) and medication.[167] Restoule further states that due to the cultural component of Aboriginal post-traumatic stress or Residential School Syndrome, there is also a strong argument about the need to re-establish and recapture Aboriginal culture, values, beliefs, languages and traditions.[168]

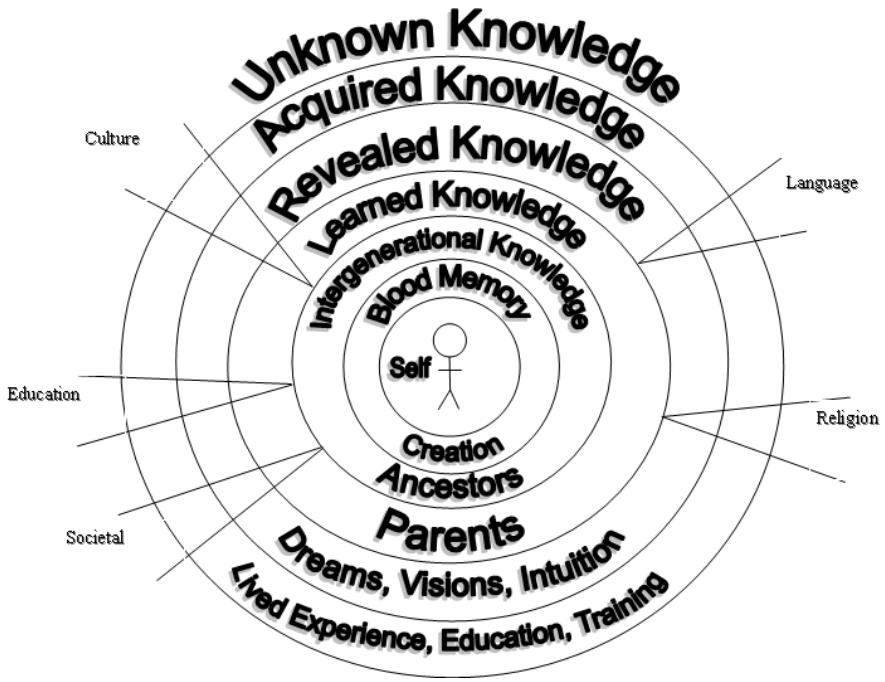
Because Residential School Syndrome is a newly diagnosed disorder, many survivors may still believe they are suffering from PTSD. Even though the symptoms of PTSD and Residential School Syndrome are similar there are differences.

## G. Disruption of the Transference of Knowledge

To understand how these layers of knowledge have been impacted since the inception of residential schools a diagram has been constructed and shared below.

[167] Ibid, 8.
[168] Ibid, 8.

**Figure 6: Disruption of the Transference of Knowledge**




In this diagram the arrows depict piercing of the layers of knowledge. For example, on the right side of the wheel language is shown as an outside influence disrupting the layers of knowledge. This example refers to the English language forced upon the children who only spoke their mother tongue upon arrival at residential schools beginning in the 1800s. The next arrow tip illustrates the religious influence of the Churches that administered the residential school. As we move clockwise around the wheel there are also societal, educational, and cultural influences forced upon every child in a residential school.

As the layers of knowledge are pierced the outside influences become embedded into learned knowledge of the individual. Therefore, when residential school survivors are ready to begin healing from their residential school experiences they not only have to deal with the outside influences that disrupted their Indigenous

knowledge, they also have to deal with the blood memory and intergenerational layers of knowledge passed down from their parents, grandparents and ancestors of the past.

### 3.4 The Healing Journey

For the last four decades many Aboriginal people have talked about the healing journey. So, what exactly is meant when a person says they are on a healing journey? What is a healing journey and when does a healing journey begin or end? Who goes on a healing journey? Why is healing included in the discussion of reconciliation of the residential school legacy?

A healing journey often begins when a person comes face to face with some inescapable consequence of a destructive pattern or behaviour in their life or when they finally feel safe enough to tell their story.[169] Some people recognize this as hitting rock bottom.

An individual may have spent a significant part of their life unaware or denying the patterns within their life that were destructive or may have believed the rewards of the behaviour outweighed the costs of what they have accomplished in life.[170] But here they are (in jail, facing other legal consequences, pregnant, their spouse leaves, fired from work, tired of living this way, losing their kids, someone close dies, a spiritual awakening, being confronted, or some other triggering event) with some desire to change the way things are happening in their life.[171] Normally, when a person reaches this state they realize change is needed within their life. Once

[169] "Healing Words." A Newsletter of Aboriginal Healing Foundation. *"Individual Healing Journey,"* Summer 2002, vol. 3, no. 4, 27.
[170] Ibid, 64.
[171] Ibid, 64.

a person realizes they need to stop the behaviour causing their problems, the healing journey begins.[172]

Being on a healing journey does not mean a person will be completely healed while on their journey. In fact some people may go through many cycles of relapse and recovery or even become stuck in the cycle for years – even a lifetime.[173]

The healing journey is often compared to peeling an onion.[174] To get to the core of the onion, or the core of the problems, layers of the onion have to be peeled back. On a healing journey, the layers of an onion represent the issues an individual has to do work through to become balanced once again. This metaphor illustrates the complexity of the healing process by revealing layer after layer of issues. According to Chansonneuve:

> The Elders teach that healing is spiritual in the sense that honouring of the spirit within each person, regardless of their circumstance will naturally promote a movement toward balance and health. From an Aboriginal perspective, healing is understood as a deeply spiritual journey. At the beginning of a healing journey the person struggles to uncover the roots of trauma from the past that caused their pain and dysfunctional behaviour. The journey to healing can be slow and painful work, but it is important work that needs to be completed for the individual to move forward."[175]

The highlight of any healing journey is the transformation and renewal uncovered within a human being.[176] Transformation is uncovered when the individual recognizes the problems that created their problems and they decide to make better choices in life so these issues do not reappear.

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[172] Ibid, 64.
[173] Ibid, 64.
[174] The metaphor of peeling an onion is often used when describing a person that is on a healing journey. As a person heals they peel back layers of hurt and injury that they have accumulated during their life.
[175] Aboriginal Healing Foundation, *Reclaiming Connections: Understanding Residential School Trauma Among Aboriginal People* (Ottawa: Aboriginal Healing Foundation, 2005), 72.
[176] Ibid, 5.

There is no one prescription for how a healing journey should be undertaken. Each individual will be drawn to a process that best suits their needs, whether it includes treatment, one-on-one counselling, personal growth workshops, retreats, workshops and traditional ceremonies such as sweat lodge, fasting, prayers or teachings.[177] What is important is that healing begins.

For residential school survivors the biggest obstacle countering reconciliation of the residential school legacy is forgetting what happened. Growing up in an environment of coercive control is not well adapted to adult life leaving the survivor with fundamental problems in basic trust, autonomy and initiative.[178] As an adult the residential school survivor attempts to create a new life but will re-encounter the trauma of the past.[179] To move forward survivors must re-learn to trust and understand healing from childhood trauma will not be easy. As difficult as healing may be the individual must be reassured the pathway of healing leads to the doorway of reconciliation.

The interconnectedness between healing and reconciliation cannot be understated; for reconciliation cannot transpire without first healing. For survivors to reach reconciliation they must firstly, want to make change and secondly, undertake the work required to heal from past experiences at residential schools. Stout and Harp explain a radical shift in thinking needs to occur shifting the healing paradigm from the pursuit of healing to being healed where survivors break the ties from a painful past to a hopeful future.[180]

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[177] Ibid, 5.
[178] Judith Herman, *Trauma and Recovery*. (New York: Basic Books, 1997), 110.
[179] Ibid.
[180] Aboriginal Healing Foundation, *Lump Sum Compensation Payments Research Project: The Circle Rechecks Itself* (Ottawa: Aboriginal Healing Foundation, 2007), 57.

## 3.5 Resilience

Since the early 1970s, there has been a growing body of literature arguing that resilience is a key factor distinguishing "high risk" individuals who are able to avoid negative outcomes from those who do not.[181] According to Vaillant, resiliency has been understood as the "capacity to be bent without breaking and the capacity, once bent, to spring back.[182] These traits are especially true for residential school survivors. Residential school survivors forced to live in residential schools adapted coping mechanisms to ensure their survival while away from their homelands. The coping mechanisms for many of these survivors are turning their stories of struggle into stories of strength.[183] Madeline Dion Stout described resiliency as getting along with people, getting through our responsibilities and getting out of situations that might cause us further harm.[184] Although resiliency of residential school survivors is not covered in great detail in this study it is important to mention at this juncture for every survivor that attended a residential school and lived to tell their experience learned coping skills during this time in their lives.

For many these coping skills helped them to survive their school days but the stories told by survivors later in life were much different. Many survivors were haunted by their experiences. While some were able to spring back and live happy and productive lives as adults many were not so fortunate. This topic will be revisited again during the Giveaway Ceremony[185] in the final chapter.

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[181] Aboriginal Healing Foundation, *Aboriginal People, Resilience and the Residential School Legacy* (Ottawa: Aboriginal Healing Foundations, 2003), 5.
[182] Ibid, 5.
[183] Theresa Turmel, "Reflections and Memories: 'Resiliency' Concerning the Walpole Island Residential School Survivors Group." (PhD diss., Trent University, September 2013), 240.
[184] Madeline Dion Stout, "Spirit Beads, Resilience and Residential Schools," in *Visions Journal*, no. 5 (Spring 2008): 11-12.
[185] Giveaway Ceremony is capitalized in the dissertation because it contains an important gift given to residential school survivors by the author.

## 3.6 Reconciliation

Since the release of the TRCs final report on June 2, 2015 reconciliation is making its way into the vocabulary of many citizens across Canada both Aboriginal and non-Aboriginal alike. So, what exactly does reconciliation of the residential school legacy entail? Before turning to a discussion of the definitions of reconciliation it is important to reiterate the importance of this section. As previously stated the research was undertaken to determine whether the compensation payments made to residential school survivors assisted in helping them reconcile with their residential school experience. Specifically, were the compensation payments able to "bring their spirit to a place of peace" (using the definition by Maggie Hodgson). The answers to this question are shared in Chapter 6.

This discussion begins by reviewing the various meanings of reconciliation to provide the context for further dialogue. Upon this review one will notice the diversity within the literature related to reconciliation of the residential school legacy illustrating the complexity of the issue in question.

The TRC states reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal people in this country.[186] A critical part of this process involves repairing damaged trust by making apologies, providing individual and collective reparations, and following through with concrete actions that demonstrate real societal change.[187]

The AHF on the other hand states that reconciliation means:

…make resigned or contentedly submissive [to one's fate].[188]

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[186] 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), 6.
[187] Ibid, 16.
[188] Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation: A Healing Journey: Reclaiming Wellness*, 1 (Ottawa: Aboriginal Healing Foundation, 2006), 179.

A more optimistic definition of reconciliation, proposed in the context of peace studies pursuant to wars and conflicts that have generated atrocities, states:

> Coming to accept one another and developing mutual trust. This requires forgiving. Reconciliation required that victims and perpetrators come to accept the past and not see it as defining the future as simply a continuation of the past, that they come to see the humanity of one another, accept each another and see the possibility of a constructive relationship.[189]

Mohawk scholar Marlene Brant-Castellano indicates:

> Reconciliation involves perpetrators asking for and victims offering forgiveness, as they acknowledge and accept the past and recognize the humanity of one another….the goal of reconciliation raises the large issue of relationship between peoples and the establishment or re-establishment of dignity and mutual respect.[190]

Anishinabe Elder and residential school survivor Fred Kelly explains:

> Reconciliation is a process that enables adversaries to rebuild relations toward a new future together. As such, it involves ongoing personal and collective processes. Reconciliation has gained currency in the larger societal context where people have experienced a period of domestic conflict. There is no standard definition or model for reconciliation and understandably so. The variables will depend on the circumstances, the nature of the issues, and certainly the adversaries themselves.[191]

Jennifer Llewellyn states:

> Reconciliation is an ongoing individual and collective process, and will require commitment from all those affected including First Nations, Inuit and Métis former Indian Residential School (IRS) students, their families, communities, religious entities, former school employees, government and the people of Canada. Reconciliation may occur between any of the above groups.[192]

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[189] Ibid, 179.

[190] Marlene Brant-Castellano, "A Holistic Approach to Reconciliation: Insights from Research of the Aboriginal Healing Foundation," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, ed. Marlene Brant Castellano, Linda Archibald and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2008), 385.

[191] Fred Kelly, "Confession of a Born Again Pagan," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, ed. Marlene Brant Castellano, Linda Archibald and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2008), 22.

[192] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential School Truth and Reconciliation Commission, *From Truth to Reconciliation:*

Richard Wagamese (Ojibway) offers this about reconciliation:

> It is a big word, *reconciliation.* Quite simply, it means to create harmony. You create harmony with truth and you build truth out of humility. That is spiritual. That is truth. That is Indian. Within us, as nations of Aboriginal people and as individual members of those nations, we have an incredible capacity for survival, endurance and forgiveness. In the reconciliation, with ourselves first, we find the ability to create harmony with others, and that is where it has to start – in the fertile soil of our own hearts, minds, and spirits.[193]

It is interesting to note the majority of definitions place emphasis upon either an individual or collective process. According to these sources the individual process of reconciliation includes accepting one another (AHF), finding peace within self (Hodgson), forgiving the perpetrators (Brant-Castellano) and creating harmony with the heart, mind and spirit of each individual (Wagamese).

Another observation about the definitions is the majority contain the word *relationships*. Although the word is used in many different contexts such as a *renewal of mutual trust* and the *re-establishment of dignity and mutual peace*, they all infer the existing relationship must be made right. Other important words contained within these definitions are: *accept the past, accept each other, rebuild relations, and recognize the humanity of one another.* Further, the definitions and the literature explain reconciliation as a process working towards the re-establishment of a relationship between parties that has been damaged. However, as stated by Rice and Snyder:

[193] Richard Wegamese, "Returning to Harmony," in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey* (Ottawa: Aboriginal Healing Foundation, 2009), 146.

> …true reconciliation is "not forgive and forget." Nor does reconciliation involve remembering, justifying, and repeating. "True reconciliation," Lederach states "is to remember and change."[194]

The collective reconciliation process is similar to the individual process but the relationships are on a larger scale. Peter Harrison states reconciliation will occur only when the Canadian public is educated about the history of the residential school legacy.[195] He further notes there are many layers of players in the goal of reconciliation: survivors struggle to reconcile their residential school experience with its ongoing impact on their lives; spouses and family members are on journeys of understanding and healing; whole communities are trying to cope with social issues resulting from the abuse suffered in the residential schools; and reconciliation within the institutions responsible for the schools the Churches and the government is an ongoing challenge with its own set of dynamics.[196]

On the other hand, Scott Serson thinks the federal government must look back to the Royal Commission on Aboriginal Peoples and renew the momentum demonstrated with the Gathering Strength document, cease using Aboriginal program dollars to fight the deficit and stop the 2% cap put on Aboriginal programming back in 1998.[197]

Gerald Taiaiake Alfred (Haudenosaunee) believes massive restitution in the way of land transfers, provincial and federal funds and other forms of compensation

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[194] Brian Rice and Anna Snyder, "Reconciliation in the Context of Settler Society: Healing the Legacy of Colonialism in Canada," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools* (Ottawa: Aboriginal Healing Foundation, 2008), 45.
[195] Peter Harrison, "Dispelling Ignorance of Residential Schools." In *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey* (Ottawa: Aboriginal Healing Foundation, 2009), 151.
[196] Ibid.
[197] Scott Serson, "Reconciliation: for First Nations this must include Fiscal Fairness," in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey,* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009), 170.

for past harms and continuing injustices committed against the land and Indigenous peoples is needed before reconciliation will occur.[198]

Waziyatawin (Dakota) maintains complete decolonization is a necessary end goal for peaceful and just society which would entail overturning the institutions, systems, and ideologies of colonialism continuing to affect every aspect of Indigenous life.[199]

Canadian public intellectual John Ralston Saul states four barriers need to be addressed before a paradigm shift can happen in Canada and real reconciliation transpire. These barriers are that: Canada does not have a plan for change; hearing the truths about the residential school legacy needs to create a new relationship of shared dignity and not guilt and blame; a common language needs to be utilized and acknowledged as such to ensure Aboriginal people and non-Aboriginal are speaking off the same page; and lastly there is a need for new shared public mechanisms to deal with long and outstanding issues such as treaty negotiations. [200]

Cindy Blackstock (Gitksan) believes that before reconciliation can occur, children must be put first as the foundational principle of reconciliation to ensure the historic violations of children in the residential school system do not happen again.[201]

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[198] Taiaiake Alfred, "Restitution is the Real Pathway to Justice for Indigenous Peoples," in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey,* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009),181-187.
[199] Waziyatawin, *"You Can't Un-Ring a Bell: Demonstrating Contrition Through Action,"* in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey,* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009), 196.
[200] John Ralston Saul, *"Reconciliation: Four Barriers to Paradigm Shifting,"* in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey,* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009), 311-321.
[201] Cindy Blackstock, *"Reconciliation Means Not Saying Sorry Twice: Lessons from Child Welfare in Canada,"* in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools* (Ottawa: Aboriginal Healing Foundation, 2008), 165-178.

In more recent studies Tony Knox has stated reconciliation dates back to the Royal Proclamation of 1763 and includes three (3) forms of reconciliation: human to human (individual reconciliation), reconciliation between legal systems (legal reconciliation) and reconciliation between peoples (social reconciliation).[202]

James (Sakej) Henderson adds another form of reconciliation to this list:

> Rather than rendering the concept of reconciliation as vague and amorphous as a national hug (as tends to be in forms such as conflict resolution or state apologies for past wrongs), constitutional reconciliation grounds the process of reconciliation between Aboriginal peoples and the Canadian state in the juridical recognition of Aboriginal and treaty rights.[203]

Within the emerging discourse of reconciliation four (4) further types of reconciliation processes have been identified. In addition to the various types of reconciliation processes evolving, reconciliatory dialogue is now shifting towards the work conducted by the TRC. Interestingly, authors and scholars voiced concerns about the limitations of the TRC's reconciliation mandate from an early stage of its work. For example, the former Co-Chair of the Royal Commission on Aboriginal Peoples René Dussault feels the only way for the TRC to succeed and mark a turning point in the relationship between Aboriginal people and Canada is, firstly, to rebuild trust between the parties.[204]

Kim Stanton questioned whether the TRC of Canada will be successful at completing its undertaking because the foundation of the commission is based upon

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[202] Tony Knox, *Reconciliation in Canadian Law: The Three Faces of Reconciliation?* http://www.mccarthy.ca/pub/Reconciliation-Paper-July2009.pdf (accessed February 28, 2014).
[203]James (Sakej) Youngblood Henderson, "Incomprehensible Canada*,"* in *Reconciling Canada: Critical Perspectives on the Culture of Redress*, ed. Jennifer Henderson and Pauline Wakeman (Toronto: University of Toronto Press, 2013), 115.
[204]René Dussault, "Reconciliation: The Only Way Forward to Fair and Enduring Coexistence," in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009), 29-35.

reducing costly litigation instead of confronting human rights violations.[205] She further stated the Canadian people are not involved in the process which makes reconciliation on a broader basis more difficult.[206]

Marc A. Flisfeder viewed the Canadian TRC as problematic because the commission is approaching the residential school issue as an isolated issue rather than taking a wholistic approach which is contrary to traditional Aboriginal teachings.[207]

Another criticism of the TRC came from Robyn Green who stated the process uses a "top-down" approach to reconciliation and is framed as a "cure" which means to foreclose the colonial past without investing in a transition to a decolonized relationship between Indigenous and non-Indigenous people.[208]

The skepticism surrounding the reconciliatory efforts of the TRC will unquestionably continue without repudiation until the federal government responds to the TRC Summary Report. Until this time the achievements or the lack thereof remains an unknown.

On a positive note the majority of survivors interviewed stated the TRC would be an educational tool to tell the true story of what happened at residential schools across Canada. A survivor made this statement about the TRC:

> …I do see a value because I believe that our side of the story needs to get out there, what happened to us, where we were, what we weren't allowed to do, our language and our cultural activities and the break-up of families…

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[205] Kim Stanton, "Canada's Truth and Reconciliation Commission: Settling the Past," *The International Indigenous Policy Journal* 2, Issue 3, Article 2, August 30, 2011, (1-18).
[206]Ibid.
[207]March A. Flisfeder, "A Bridge to Reconciliation: A Critique of the Indian Residential School Truth Commission," in *The International Indigenous Policy Journal* 1, Issue 1, Article 3, October 28, 2010, (125)
[208]Robyn Green, "Unsettling Cures: Exploring the Limits of the Indian Residential School Settlement Agreement," *Canadian Journal of Law and Society* 7, no. 1, 2012, (129-148).

> It's for the non-native community out there, the bureaucracy to the administrators and the everyday people to know that we did suffer. We were animals to be put somewhere, to be completely cut-off from our families, our uncles, aunts, cousins and grandparents. I was there for 8 years; even in the summer time when you came home there was still that separation, because my mother and dad were separated, because they had no children at home to look after so they divorced. We never really had a home after that. All that stuff needs to be out there so people know and so they understand we did go through it, we're survivors. The least they can do is to give us that understanding that it did happen.[209]

The discourse in relation to societal reconciliation is included here to illustrate how authors and scholars including the TRC visualize the process with in a much broader context. For those who advocate a more encompassing process, individual reconciliation is merely the first step towards reconciliation of the residential school legacy.

The vast nature of the literature illustrates the complexity of reconciling the residential school legacy. Even though there are numerous issues to address before reconciliation will transpire the work has to begin somewhere, even if the initial steps are small. In Chapter 6 a further analysis of the resolution process will be undertaken to demonstrate why reconciliation did not follow reparation and what efforts are required to move the residential school legacy towards reconciliation.

[209] Interview [#6- CEP] in Ontario, August 24, 2009.

# Chapter 4.0 In Search of the Waterdrum: History of the Indian Residential School Settlement Agreement

The Seventh Fire prophet stated there would come a time when the Osh-ki-bi-ma-dizeeg (New People) would emerge and begin retracing the steps of their ancestors. According to these teachings the New People would search for their original language, ceremonies, customs and traditions hidden in the 1800s.

It has also been told the New People would be relentless in their quest and would travel thousands of miles to find traces of what has been left by the trail.[210] Reflecting upon this teaching, there have been many stories told by Elders and traditional people[211] about how they traveled thousands of miles to find those Old Ones[212] that still practiced ceremonies and sang the songs.[213]

While the New People searched for the Elders, the 1960s and 1970s witnessed the Black civil rights movement and social transformation across Turtle Island. At the same time, Aboriginal people were experiencing a phase of political re-awakening and were fighting for recognition as the original inhabitants of this country. Hoffman describes this era as a time of great change: a time of cultural renewal, social and political activism, and the start of the healing and wellness movement.[214] The events occurring during this time moved simultaneously across Canada and the United States. The New People were demonstrating against the status quo.

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[210] Eddie Benton-Banai, Address to Assembly of Elders Gathering, Trent University, February 1989.
[211] I recall hearing a story told by Midewiwin Elder Edna Manitowabi many years ago at the Elders Conference at Trent University, while I was an undergraduate student, describing how she had travelled out west to find those that still knew the teachings of the ceremonies.
[212] The Old Ones refers to the Elders that continued to practice the cultural traditions of their people despite the ban on ceremonies and passed their teachings on to subsequent generations.
[213] Story told by Edna Manitowabi at Elders Conference, Trent University, 1988.
[214] Ross Hoffman, "Rekindling the Fire: The Impact of Raymond Harris's Work with the Plains Cree," (PhD diss., Trent University, 2006), 147.

The New People included people such as the late Russell Means, a prominent member of the American Indian Movement (AIM) who fought for justice and equality for Aboriginal peoples across the Americas.[215] Another prominent individual that must be mentioned in this dissertation is Eddie Benton- Banai.[216] He was also a co-founder of the AIM, a residential school survivor, author of *The Mishomis Book* (used extensively in this study) and the founder of the Three Fires Society[217].

The cultural renewal that Hoffman mentions was also evident in Anishinabe communities across the Great Lakes region. The New People of the Midewiwin Lodge were also re-emerging and asking questions about the teachings of the Anishinabe. During this time Eddie Benton-Banai founded the Three Fires Society which brought the Anishinabe together to share and re-learn the teachings, prophecies and ceremonies practiced by the Midewiwin Medicine Society.

The Three Fires Society administered the business affairs, while the Lodge was the place where cultural activities, teachings and ceremonies took place. The dedicated work accomplished by Benton-Banai reflects the cultural movement taking place in Anishinabe territory during this time. As the New People re-awakened they stood up and voiced their concerns about issues affecting them directly, such as loss of language and culture, land, treaties, discrimination[218] and child welfare.[219] Not only was it a time of re-awakening; it was the beginning of the time of the Seventh Fire as told by the prophets.

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[215] Vine Deloria Jr. *God is Red.* (New York: Laurel Books, 1973), 36.
[216] Eddie Benton-Banai, is the Grand Chief of the Three Fires Midewiwin Society and author of *The Mishomis Book: The Voice of the Ojibway*. (Minneapolis: University of Manitoba Press, 2010).
[217] Rainey Gaywish, Prophesy and Transformation in Edward Benton-Banai's Revitalization of the Midewiwin Heart Way: Neegwan I-Naw-Buh-Tay-Ayn-Nayn-Duh-Mawn My Thoughts Flow forward to the Future. PhD. diss., Trent University, 2008.
[218] Vine Deloria Jr., *God is Red (New York: Dell, 1973) 3-22.*
[219] Suzanne Fournier and Ernie Crey, *Stolen From Our Embrace: The Abduction of First Nations Children and the Restoration of Aboriginal Communities* (Vancouver: Douglas & McIntyre, 1997), 81-114.

## 4.1 The New People Create a Space

As part of the cultural revitalization of the 1960s and 1970s, Aboriginal people who grew up not knowing their culture and traditions began asking questions about their identity and rights as the original occupants of this continent. This re-awakening can be credited for many changes in First Nation communities. For example, in Tobique, Nova Scotia Mi'kmaq women spoke out on the issue of loss of Indian status[220] in Canada, and in the United States the AIM[221] began speaking out about issues of land ownership, such as the Black Hills in South Dakota.

The re-awakening period also included disclosure of horrific events that transpired in residential schools in Canada. Disclosures were made by Aboriginal survivors in the wake of the Mount Cashel Orphanage scandal. This scandal was examined in the report by the Native Women's Association which stated:

> The first investigation began in December 1975. By its completion, five Brothers were implicated in acts of physical and sexual abuse, and twenty boys stated that they had been abused by some of the Christian Brothers. Instead of allowing the officer handling the investigation to interview other boys at the school and the Brothers who had been implicated, the Chief of Police (on the instructions) from the provincial Justice Department stopped the investigation. Although police had obtained admissions from two Brothers of their sexual involvement with some of the boys, no charges were laid. The only result of the investigation was that the two Brothers who admitted their wrongdoing were placed for a short period within treatment centres outside the province, and were told not to return to Newfoundland. Two other Brothers were transferred from Mount Cashel to other schools.[222]

[220] Janet Silman, *Enough is Enough: Aboriginal Women Speak Ou*t (Toronto: The Women's Press, 1987).
[221] The American Indian Movement was a group of people that got together in the late 1960s to assist Aboriginal people fight issues of poverty, oppression and injustice within their homelands.
[222] Native Women's Association of Canada, "Institutional Abuse & Public Response: A Discussion Paper", (discussion paper, Ottawa, Ontario, August 1992), 4.

The second investigation began in 1982 after further claims of abuse, but again, the police did not fully investigate and only one Brother was charged with sexual assault and sentenced to four months in jail and three years' probation.[223]

On the coat tails of the Mount Cashel scandal, residential school survivors from IRS era began speaking openly and publicly about the physical and sexual abuses suffered in these schools. In 1988, eight survivors stepped forward and filed a lawsuit against the Anglican Church and the federal government of Canada for the abuses they suffered at residential school.[224] Two years later, on October 30, 1990, Phil Fontaine, [then] Grand Chief of the Assembly of Manitoba Chiefs, stunned the public by openly sharing his experience of physical and sexual abuse in an interview with CBC news.[225] The assistance of political leaders, such as Phil Fontaine, helped to raise the veil of secrecy that surrounded the residential school issue for centuries.

The Mount Cashel scandal coupled with the disclosures turned the painful silence that lingered for years into a transformed energy; an energy that would move survivors to action. The New People had sounded their voice. They would be silent no more.

## A. Litigation

As more survivors came forward to disclose the secrets they kept about the residential school era, more survivors were awakened. The time had come to seek

[223] Ibid, 4.

[224] British Columbia Assembly of First Nations. First Nations Leadership Council, *Backgrounder. "History of Canada's Indian Residential School System."* http://www.fns.bc.ca/pdf/BackgrounderResidentialSchoolHistory.pdf (accessed June 9, 2005).

[225] CBC Digital Archives, "Shocking Testimony of Sexual Abuse," interview by Barbara Frum, CBC News, October 30, 1990.

justice for the wrongdoing they suffered in residential schools. In the 1980s the current justice system was the only process available to survivors to make their claim. One of the 24 survivors interviewed for this research said this about the litigation process:

> We started in 1995 and we didn't get our case heard until 2005 or 2006. It was very long and drawn out. It was difficult. Getting all the information to the RCMP, your lawyer, the Crown and then they reviewed it and then you had to go into the courtroom and present your case again, and it all had to be consistent.[226]

Despite the lengthiness of the court system and the cost, many chose to move ahead with their claims. One must remember that even though the litigation process is costly and lengthy the courts do serve the very important role of creating legal precedent.

Over time the Supreme Court of Canada has rendered some very important and functional precedents regarding matters of great importance for Aboriginal people. For example, the Van der Peet[227] case should be looked at as a starting point for any discussion of reconciliation because the court stated that "the only fair and just reconciliation is…one that takes into account the Aboriginal perspective while at the same time taking into account the perspective of the common law. True reconciliation will place weight on both." This direction meant that Canada had to be cognizant of the Aboriginal perspective in deciding reasonable and just compensation for survivors.

The first public allegations of sexual abuse made by residential school survivors against the Church and the federal government were made in 1988. This case involved eight survivors from St. George's Residential School in Lytton, British

[226] Interview with [#1-Crt] in British Columbia, on April 29, 2009.
[227] *R.* v. *Van der Peet* [1996] 2 S.C.R. 507.

Columbia and became known as the Mowatt v. Clarke case. However, the case settled before trial and an agreement was reached where both the Church and the federal government were held liable for damages.[228] A year later (1989) Father Harold McIntee, who had taught at St. Joseph's Residential School in Williams Lake, British Columbia, pleaded guilty to sexually assaulting seventeen boys over a 25-year period while there.[229] A year later another eight survivors from the same school filed damages for sexual assault which led to a precedent setting agreement between the Catholic Church, the federal government and the survivors.[230]

The floodgates opened with no signs of the lawsuits coming to an end; instead more allegations were coming forward. In 1995, a residential school claim made its way to the Supreme Court of Canada. In the precedent-setting case Blackwater v. Plint, [2005] 3 SCR 3, SCC, the court reaffirmed the federal government and the Church were both individually and jointly liable and awarded the plaintiff 100% damages from the defendants.[231]

By 2006 there were 13,050 claimants who filed a claim in litigation within the current judicial system.[232] Of those, 2,477 were resolved and 2,455 settled before trial for an amount of $96.5 million.[233]

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[228] Ibid, 3.
[229] Ibid, 9.
[230] Ibid, 3.
[231] Assembly of First Nations. *"Supreme Court Blackwater v. Plint Decision Reaffirms Federal government's Liability in Residential School Cases,"* http://www.afn.ca.articles October 21, 2005.
[232] Canada, Indian and Northern Affairs, Indian Residential School Statistics http://www.apcfnc.ca/documents. (Accessed January 2, 2006).
[233]Ibid.

## B. Class Action Lawsuits

The first class action lawsuit filed on behalf of residential school survivors was the Bernard Class Action representing nine hundred people who attended Shubenacadie Indian Residential School in 1997.[234] In 2002 the Bernard Class Action suit joined the Baxter National Class Action.[235] Following the lead of the Bernard class action was the Cloud Class Action, the Dieter Class Action, the Pauchay National Class Action and the Straightnose Class Actions.

The Cloud Class Action lawsuit represented the survivors of Mohawk Institute. This case was filed by Cohen Highley law firm on October 5, 1998. This class action took six years to be ratified by the Ontario Court of Appeal, on December 3, 2004. This was the first time residential school survivors were allowed to advance their claim collectively in Ontario.[236]

A year later, on May 31, 2005, Justice Winkler of the Ontario Superior Court of Justice ordered that the Baxter National Class Action should immediately proceed to its motion for certification without further delay.[237] A day earlier the federal government appointed Honourable Frank Iacobucci to act as their representative for a fair settlement for the residential school legacy.[238]

Later, on June 4, 2005, [then] National Chief Phil Fontaine called a press conference to announce that the AFN would be launching a class action against the

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[234] McKiggan, John A, "Playing at the National Stage: Pitfalls and Success." (Presentation, Nova Scotia Barrister's Society Conference, Halifax, Nova Scotia, 2008).
[235] Ibid.
[236] Assembly of First Nations, *"Assembly of First Nations National Chief Supports Supreme Court Decision on Cloud Class Action Case,"* http://www.afn.ca.articles (accessed May 13, 2005).
[237] Thomson Rogers LLP, "National Consortium of Residential School Survivors' Counsel," (Press Release, Toronto, Ontario, May 31, 2005).
[238] CBC News Canada, "A Timeline of Residential Schools, The Truth and Reconciliation Commission," May 16, 2008 (accessed June 3, 2013).

federal government on behalf of residential school survivors.[239] By this time the government was faced with thousands of claims and lawsuits in the form of individual claims and class action lawsuits. The federal government could no longer ignore the situation. A remedy had to be found.

As the federal government scrambled to find a solution to the mounting lawsuits the residential school survivors moved forward to assist the struggle in any way they could. The residential school survivors' movement was picking up momentum.

## 4.2 The Residential School Survivors Movement

The residential schools survivors' movement that developed following the disclosures was a grassroots movement formed by survivors supporting one another through the difficult time of speaking and re-living their residential school experiences. The survivors or New People who had been silenced for many years were finding the courage, with the support of fellow survivors, to stand up and speak their truth.

One such organization is the Children of Shingwauk Alumni Association that has been involved in the residential school issue since 1981.[240] Since their inception the group has organized gatherings, reunions, Sacred Circles and Healing Conferences and was instrumental in establishing the National Residential School Survivors' Society (NRSSS).[241]

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[239] Paul Barnsley, Windspeaker, "AFN launches class action lawsuit," Windspeaker 23, issue 6, 2005 (accessed June 2, 2013).
[240] Children of Shingwauk, "Children of Shingwauk Alumni Association, http://www.childrenofshingwauk.ca/children-shingwauk-alumni-association (accessed June 2, 2013).
[241] Ibid.

Another residential school organization was established in British Columbia called the Indian Residential School Survivors Society. This organization began its work in 1994 as a working committee of the First Nations Summit of British Columbia.[242] In March of 2002 they became known as the Indian Residential School Survivors Society, a sub-organization of the Summit providing services to survivors and their inter-generational family members.[243]

Residential School Survivor groups continued their work even after a final settlement agreement was ratified. For example, I attended a Residential School Gathering in Kamloops, British Columbia, in 2009, organized by the Indian Residential School Survivors Society in preparation of the work the TRC[244] would undertake to continue the healing movement that had begun.

In addition to working at the grassroots level, survivor groups played an important part advising the AFN about the residential school issue. The groups also assisted with relaying information to other residential school survivors regarding the compensation processes. A residential school survivor interviewed for this study provided this information regarding the support group he attended.

> We had a little group where people would have tea and coffee and talk about history and residential school at the Health Centre on the reserve. The Coordinator of that, kept up with some of the things the AFN and the government were having, conferences.[#3-ADR][245]

Another survivor shared that:

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[242] Indian Residential School Survivors Society, "Home," http://www.irsss.ca/ (accessed June 2, 2013).

[243] Ibid.

[244] The Truth and Reconciliation Commission of Canada is a part of the Indian Residential School Settlement Agreement negotiated between residential school survivors, the Churches and the federal government in 2005. More information about the TRC will be discussed in later chapters of this study.

[245] Interview with [#3-ADR] in British Columbia, August 18, 2009

> They were having meetings and they were talking about some papers that were coming out…[#2-Crt][246]

On January 12 – 13, 2004 a two-day meeting was held in Calgary involving a number of prominent residential school survivors to discuss the Canadian government's official position not to compensate for the loss of language and culture.[247] The meeting was attended by members of the Indian Residential School Survivors Society of British Columbia, Shingwauk Alumni, Manitoba's Spirit Wind Survivors Group, the Blood Reserve, and the Assembly of First Nations.[248]

It is important to acknowledge these groups and their participation in the discussions about the residential school issue with the AFN. Although the AFN was very visible in the residential school negotiations, they did not act in isolation. Their role will be discussed later in this chapter.

### 4.3 The Churches

Another important reconciliatory initiative that emerged during this movement was between Aboriginal people and the Churches. The relationship between the Churches and the Aboriginal peoples of Canada has been troubled since contact. Although many Aboriginal people converted to Christianity the remainder resisted European clergy creating tension and mistrust. The relationship deteriorated further with the Churches' role in the administration of residential schools where abuses were perpetrated. To this day some survivors are still fearful of entering a church because

[246] Interview with [#2-Crt] in British Columbia, August 19, 2009
[247] Paul Barnsley, "Survivors Organizing: Governments position under attack," *Windspeaker*. February 2, 2004.
[248] Ibid.

of the childhood abuses they suffered at residential schools.[249] However, not all Aboriginal people turned their back on the church, for many were able to reconcile with the past and embrace Christianity.

The Church began the work of reconciling with Aboriginal people during the 1980s. In 1986 the United Church of Canada apologized[250] for its past relationship with Aboriginal people stating they had made a mistake by trying to change the first peoples into the image of themselves and they realize this is not what the Creator meant for either of them.[251]

Then on July 24, 1991, Reverend Douglas Crosby, O.M.I., then president of the Oblate Superiors of Canadian Region, offered an Apology[252] to Aboriginal people, for the part they played in the cultural, ethnic, linguistic and religious imperialism and the administration of residential schools where Aboriginal children suffered physical and sexual abuse creating social and economic problems for them even today.[253]

Several years later, on August 6, 1993, the Primate on behalf of the Anglican Church of Canada offered another Apology[254] to Aboriginal peoples. In this Apology the Primate acknowledged the pain and hurt they caused Aboriginal children in residential schools and acknowledged they failed those survivors, they failed themselves and they failed God.[255]

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[249] Gordon Shawanda, (residential school survivor/uncle), interview by author, Walpole Island First Nation, November 28, 2005.
[250] For full text of the United Church of Canada's Apology see Appendix 6.
[251] Aboriginal/Church Working Group, *The Future of the Residential School Healing Movement – March*
[252] For full text of the Oblate Superiors of Canadian Region Apology see Appendix 7.
[253] Aboriginal/Church Working Group, *The Future of the Residential School Healing Movement – March 29-30, 2004 – A Discussion Paper,* (Discussion paper delivered to Board of the Aboriginal Healing Foundation, March 29, 30, 2004), 4.
[254] For full text of the Anglican Church of Canada Apology see Appendix 8.
[255] Aboriginal/Church Working Group, *The Future of the Residential School Healing Movement – March*

The Presbyterian Church of Canada apologized[256] on June 9, 1994 and then on October 27, 1998, the Right Reverend Bill Phipps, Moderator of the United Church also apologized.[257]

Over a period of seven years, four Churches formally apologized to the Aboriginal people of Canada for their role in the residential school system. Meanwhile, the federal government sat silent making no attempt to acknowledge their role in the residential school legacy until the release of the Gathering Strength document in 1998.

## 4.4 The Federal Government

The first mention of reconciling the relationship between the federal government and Aboriginal people was made in 1998 when [then] Minister of Indian Affairs, Jane Stewart issued the Statement on Reconciliation in 1998. This statement was released with a genuine interest in creating a better working relationship with Aboriginal people. In fact, [then] Minister of Indian Affairs Jane Stewart made a personal commitment to Aboriginal organizations about a renewed relationship. Serson has commented:

> "It is worth underscoring that the Minister of Indian Affairs of the day, Jane Stewart, fundamentally believed that partnership should characterize the day-today relations of her officials in their relations with Aboriginal peoples. In fact, she agreed that government officials should work with the Assembly of First Nations to determine how the Gathering Strength framework could best be implemented with First Nations."[258]

[256] For full text of the Presbyterian Church of Canada Apology see Appendix 9.
[257] For full text of the Moderator of the United Church Apology see Appendix 10.
[258] Scott Serson, "Reconciliation: For First Nations This Must Include Fiscal Fairness," in *Response, Responsibility and Renewal: Canada's Truth and Reconciliation Journey,* ed. Gregory Younging, Jonathan Dewar and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2009), 167.

Stewart further committed the federal government to work with First Nations, Inuit and Métis people, the Churches and other interested parties to resolve the longstanding issues that transpired as a result of residential schools.[259] Her good intentions and demonstrated sincerity in renewing the relationship was short-lived. Not long after the Statement of Reconciliation was released, she was transferred to another federal department and replaced by Robert Nault. The new Minister of Indian Affairs' priority was the implementation of the contentious First Nations Governance Act rather than renewal of the relationship with Aboriginal people.[260] So the issues of reconciliation and renewed relationships were quickly abandoned and replaced with what Robert Nault felt were more important issues.

In 2005, the foundation for reconciliation was laid with the negotiation of the final Indian Residential School Settlement Agreement. The settlement agreement included compensation payments, a new IAP for filing claims of physical and sexual abuse, as well as continued funding for the AHF and the TRC.

### A. Alternative Dispute Resolution (ADR)

In an attempt to remedy the backlog of residential school survivor lawsuits within the court system the federal government created the Office of Indian Residential Schools Resolution Canada to focus on managing and resolving residential school claims.[261]

The first method developed to address the backlog of residential school claims went all the way back to 1989-99 after the nine Exploratory Dialogues were convened

[259] Ibid.
[260] Ibid, 168.
[261] Canada, Indian and Northern Affairs, *"Backgrounder – Indian Residential Schools Survivors Committee,"* 1.

across Canada.[262] As a result a number of ADR pilot projects were implemented across Canada involving former students, government and in some cases a Church organization.[263]

Following the initial pilot project the government launched the Grollier Hall Pilot Project in Inuvik in May 2002, which existed for three and a half years and settled 28 survivor claims.[264] In that same year, the government launched the National Resolution Framework which contained a new and improved ADR process aimed to administer, validate and resolve sexual and physical abuse claims in a safe and sensitive manner as an alternative to the current justice system.[265] The goal of this new process included "opening pathways to healing and reconciliation by apologizing, by compensating, and by making that process less difficult for those who have suffered."[266]

Several years later the National Framework ADR process was criticized for not delivering the results expected. The Standing Committee on Aboriginal Affairs and Northern Development convened a meeting to discuss the effectiveness of the ADR process on Tuesday, February 22, 2005. [267] Mr. Jim Prentice (Calgary Centre-North, CPC) stated the following:

> If I might, I'll go directly to what you've described as the centerpiece of your program, which is the ADR process. I think it would be fair to say that what we have heard as a committee has, first, moved us, appalled us, and shamed us in terms of the insensitivity and the inhumanity of the process that is being

[262] Treasury Board of Canada, "Indian Residential Schools Resolution Canada Performance Report For the period ending March 31, 2003," http://www.aadnc.gc.ca (accessed June 16, 2009).
[263] Ibid, 3.
[264] Ibid, 10.
[265] Canada, Indian and Northern Affairs, *"Alternative Dispute Resolution,"* 1. http://www.ainc-inac.gc.ca/ai/rqpi/aldire/index-eng.asp (accessed July 16, 2009).
[266] Lawyers Weekly, *"Commentary: On ADR for residential school claims,"* April 1, 2005.
[267] Canada, House of Commons, 38th Parliament, 1st Session, Standing Committee on Aboriginal Affairs and Northern Development. *Evidence*, Tuesday, February 22, 2005.

> followed in the way it is being applied to victims and the way it is revictimizing aboriginal Canadians; and secondly, appalled us by the bureaucratic expense and the waste of money this entails. I don't think I have ever seen or dreamt of bureaucratic incompetence on this kind of scale. If you feel this process is working, I would say, respectfully, that you are the only one who thinks this process is working.[268]

By March 9, 2005 Greg Hagen stated only 93 cases have been resolved using the ADR process and program administration costs were nearly four times the settlement amounts.[269]

When questioned about the ADR process and its costs, Mr. Mario Dion (Deputy Minister, Office of Indian Residential Schools Resolution of Canada) stated:

> …The total cost of those pilot projects, excluding the amount, the dollars, paid out to the claimants, was $13 million, and $7 million was paid out to the 249 claimants with whom settlements have been arrived at."[270]

Jeffrey Harris also commented on the numbers of cases resolved:

> We've heard from Deputy Prime Minister that 1,200 people applied to the program. That's out of 13,000 people who have filed claims in the court. …If we were to do a closer analysis we'd find that only 7% have chosen the ADR process, and as we have it, 0.005% have been resolved through the ADR process. That, in our respectful view, is not satisfactory. There is a fundamental problem with the system, and it needs to be fixed.[271]

Hagen (2004) stated the root of the difficulty with the ADR process stems from being thrust upon Aboriginal people and not reflecting an agreed upon process nor an Aboriginal perspective.[272] Therefore, he felt that complete reconciliation was not possible if the system was saturated with non-Aboriginal values and Western legal

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[268] Ibid, 10.
[269] Lawyers Weekly, "Commentary: on ADR for residential school claims," April 1, 2005, 1.
[270] Ibid, 13.
[271] Ibid, 22.
[272] Gregory H. Hagen, *"Does the Residential School ADR Process Effect Reconciliation?"* (Presentation, Residential Schools Legacy: Is Reconciliation Possible Conference, University of Calgary, Alberta, March 2004).

practices.[273] Assessments such as this illustrate how the institution was slow and top-heavy, spending more money on the administration than the actual compensation payments to the survivors. Also, the criteria and guidelines used by the adjudicators were unreasonable and unfair, making the process non user-friendly and culturally inappropriate.

Survivors made these comments about their experience with the ADR system.

> I didn't want to go to court if I didn't have to, because going through this is emotional enough. The ADR process was better in that we weren't abused again by it...It still hurts. It's easier than going through court or something, still it's hard.[#6-ADR][274]

Another stated:

> It was very emotional. I was not satisfied with what I got, not for what I went through.[#9-ADR][275]

The ADR process was criticized for many reasons. Some of the reasons include but are not limited to, awards varied depending on the province where a survivor resided, awards for abuse by other students was limited, only survivors abused by a religious organization that had an indemnity agreement with the government would receive 100% of their compensation while others received only 75%. [276]

The ADR processes across Canada used two different grids to determine the amount of compensation a survivor could receive. If a survivor was abused in British Columbia, Yukon or Ontario, the total compensation was capped at $245,000 while, if the abuse took place in any other province or territory, the total compensation was

[273] Ibid, 3.
[274] Interview with [#6-ADR] in British Columbia on May 5, 2011.
[275] Interview with [#9-ADR] in Manitoba on February 18, 2009.
[276] Assembly of First Nations, *Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools* (Ottawa: Assembly of First Nations, 2004), 17.

capped at $195,000.[277] For those living in provinces other than British Columbia, Yukon or Ontario this difference in payment was very unfair. Other survivors stated the ADR model did not take into account the healing needs of survivors; the model also erred in its evaluation of abuse by referring to the standards of the time it was administered.[278]

A report by the AFN[279] provided a list of recommended improvements to the current ADR system which is addressed in the next section.

## B. Independent Assessment Process (IAP)

In November 2005 the AFN released a report along with thirty recommendations for the improvement of the current ADR process and compensation for residential school survivors.[280] A year later (2006) the federal government, Churches, lawyers and AFN signed the historic Residential School Settlement Agreement which included this new IAP. The AFN approved of the new process because it was more generous and speedier.[281]

The new IAP expanded upon the ADR Model previously used by providing for new compensable elements survivors could apply for, e.g. actual income loss;[282] student-on-student abuse;[283] severe psychological harm, abuse by non-employees, and

[277] Ibid, 15
[278]Ibid.
[279] Ibid.
[280] Assembly of First Nations, *Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools* (Ottawa: Assembly of First Nations, November 2005).
[281] Assembly of First Nations, *Resolving the IRS Legacy*. *The Indian Residential Schools Settlement*, http://www.afn.ca (accessed April 30, 2007).
[282] Ibid, 9.
[283] Assembly of First Nations. *Resolving the IRS Legacy: The Indian Residential Schools Settlement.* http://www.afn.ca (accessed April 30, 2007)

injuries unique to sexually abused women (pregnancies and related consequences).[284] The new process also eliminated the double grid system with a more generous grid for all provinces,[285] which compensated residential school survivors using one grid regardless of place of residence or school attended.

The new process also requires the Adjudicator to complete a file within a mandatory 9-month time line and commits to processing at least 2,500 files in one year.[286] Similar to the ADR process the IAP adjudicators utilize a point system to award compensation, and any decision may be subject to review by participants.[287] The process also contains additional monies for future psychiatric care of survivors – up to $15,000 per claim.[288] The government also agreed health supports and cultural ceremonies would be provided at hearings if and when requested and survivors would be able to pick the location of the hearing.[289]

The IAP began accepting applications from survivors on September 19, 2007[290] and continued until September 19, 2012.[291] Survivors of the IAP stated this:

> I realized the IAP could be a really traumatic experience, because you have to give in detail the abuses, you have to go back to those days, and it's terrible thing to do if you don't have any support.[#1-ADR][292]

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[284] Ibid, 22
[285] Ibid, 20.
[286] Ibid, 21
[287] Aboriginal Healing Foundation, *Lump Sum Compensation Payments Research Project: The Circle Rechecks Itself* (Ottawa: Aboriginal Healing Foundation, 2007), 7.
[288] Assembly of First Nations, *Report on Canada's Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools* (Ottawa: Assembly of First Nations, 2005), 21.
[289] Ibid, 23.
[290] On September 19, 2007 the Assembly of First Nations released a Bulletin applauding the finalization of the Indian Residential School Settlement Agreement. Within this bulletin it stated that survivors were officially able to apply for both the Common Experience Payment and compensation for serious abuses suffered at residential school. http://www.afn.ca
[291] Canada, Indian and Northern Affairs Canada. *"Independent Assessment Process"* www.ainc-inac.gc.ca. (Accessed July 3, 2013).
[292] Interview with [#1-ADR] in British Columbia, April 28, 2009.

Another survivor stated:

> It was slow, memories kept me up all night, trying to remember. We didn't see the lawyer much maybe once every 6 months. Felt like quitting the program and move on with my life but everybody was saying, "No don't quit, you're going to get money, it will change your life."[#2-ADR][293]

## C. Common Experience Payment (CEP)

The most comprehensive compensation mechanism within the IRSSA has been the Common Experience Payment (CEP) process which was made available to any person that attended a recognized residential school[294] in Canada. The CEP payment recommended by the AFN Negotiating Team was based upon the Irish experience[295] and the Japanese settlement[296] agreement. These two processes provided victims of government wrongdoing with compensation payments.

In the AFN report they recommended each survivor receive a base amount of $10,000 for having attended an Indian Residential School and $3,000 for every year at the school (10+3 formula).[297] The CEP was a more "global" payment made available to every former student, not only those able to prove specific incidents of physical/sexual abuse.[298] The CEP payment also represented the common experience

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[293] Interview with [#2-ADR] in Manitoba, October 21, 2009.

[294] It should be noted that only residential school survivors that attended the schools listed as recognized institutions by the federal government are eligible for compensation. According to the federal government there are 136 recognized institutions in Canada: 18 in B.C., 26 in Alta., 19 in Sask., 14 in MB, 16 in ON, 10 in Que., 1 in N. S., 13 in Nunavut, 14 in N.W.T, and 5 in Yukon.

[295] The Irish Experience was a similar to industrial schools, where children were taken by force and put into these schools—based of class—and similar abuses took place. The Irish government decided they would deal with reconciliation and healing and adopted a compensation approach similar to the one in Canada.

[293] The Japanese Settlement Agreement reached in 1988 paid each Japanese Canadian survivor $21,000 for those sent back to Japan or sent to internment camps in the British Columbia.

[297] Assembly of First Nation, *Report on Canada's Dispute Resolution Plan* (Ottawa: Assembly of First Nations, 2005), 10.

[298] Aboriginal Healing Foundation, *Lump Sum Compensation Payments Research Project: The Circle Rechecks Itself* (Ottawa: Aboriginal Healing Foundation, 2007), 6.

shared by survivors of the loss of language and culture. [299] Even though the Irish and Japanese cases were used as guiding principles many residential school survivors felt the amount they received was unfair, as stated here: "What pisses me off is the settlement agreement; were not getting that much."[300] Some described being internally conflicted about accepting a CEP in exchange for the profound loss of language and culture due to the residential school system.[301] Another survivor stated:

> What really bugged me about a month ago, there was this woman that got molested in this church, and she got 7 – 8 million dollars, one person. [302]

The first CEP was received by Mary Moonais of Muskwachees Cree Nation (Louis Bull First Nation) on October 4, 2007.[303] For Mary Moonais this was a day she said she would never forget:

> I honestly can't believe that I was the first one to receive this Common Experience Payment. For me, it isn't about the money; it's also about the healing. I accept the payment, but it can never fully make up for what I experienced in Residential School. The federal government is finally beginning to own up to what it did to me and to every other First Nation person who was taken away against our will from our families, our homes, and our communities. We all need to heal from this past, while recognizing that we have all different experiences as a result of residential schools…I am a private person, but I agreed to mark this moment in our history because it is something that I will leave as a legacy for my children and grandchildren…[304]

After this historic occasion residential school survivors over the age of 65 from across Canada began receiving their initial $8,000[305] CEP. To date thousands of

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[299] Ibid, 4.
[300] Interview with [#2-ADR] in Manitoba, October 21, 2009.
[301] Aboriginal Healing Foundation, *The Indian Residential School Settlement Agreement's Common Experience Payment and Healing: A Qualitative Study Exploring Impacts on Recipients* (Aboriginal Healing Foundation: Ottawa, 2010), 46.
[302] Interview with [#7-CEP] in Ontario, July 3, 2009.
[303] Assembly of First Nations, *AFN National Chief Honours Mary Moonais: First Residential School Survivor to Receive Common Experience Payment.* http://www.afn.ca.article (accessed on October 4, 2007).
[304] Ibid.
[305] Ibid.

survivors have used the different processes available to them to file claims against the federal government and Churches.[306]

One survivor interviewed stated the CEP was easy; they received forms, filled them out and sent them away.[307] This comment appeared to be an exception for the majority had a difficult time with the CEP application process.

## D. A Formal Apology

The federal government made a formal Apology[308] to the residential school survivors of Canada on June 12, 2008. The Apology was delivered by the Prime Minister of Canada, the Honourable Stephen Harper in the House of Commons on Parliament Hill in Ottawa, Ontario.

The Apology made by Prime Minister Harper referenced a new and improved relationship with Aboriginal people. In the Apology he stated:

> The government recognizes that the absence of an Apology has been an impediment to healing and reconciliation.
>
> He also stated:
>
> In moving towards healing, reconciliation and resolution of the sad legacy of Indian Residential Schools, implementation of the Indian Residential Schools Settlement Agreement began on September 19, 2007. Years of work by survivors, communities, and Aboriginal organizations culminated in an agreement that gives us a new beginning and an opportunity to move forward together in partnership.
>
> A cornerstone of the Settlement Agreement is the Indian Residential Schools Truth and Reconciliation Commission. This Commission presents a unique opportunity to educate all Canadians on the Indian Residential Schools system. It will be a positive step in forging a new relationship between Aboriginal peoples and other Canadians, a relationship based on the knowledge of our

[306] Canada, Aboriginal Affairs and Northern Development Canada, *Statistics*, January 1, 2012. http://www.aadnc-aandc.gc.ca/eng1315320539682/131532069
[307] Interview with [#5-CEP] in Vernon, British Columbia, August 19, 2009.
[308] The full Statement of Apology can be found in the Appendix 10.

> shared history, a respect for each other and a desire to move forward together with a renewed understanding that strong families, strong communities and vibrant cultures and traditions will contribute to a stronger Canada for all of us.[309]

In this statement Prime Minister Harper acknowledged the Apology as a requirement for resolution of the residential school legacy.

Although this Apology was delivered to residential school survivors some felt that it was a token gesture. The following comments were made by survivors interviewed during this study:

> When they had that Apology from the government, to me, it meant nothing. They did it because they had to, they didn't care.[#6-CEP][310]

Another survivor had this to say about the Apology:

> These people shouldn't apologize to us, until they heard us.[#7-ADR][311]

John Pelletier, a residential school survivor of the Maryville Residential School in Saskatchewan, made these remarks in response to the Apology made by the Prime Minister:

> I'm actually kind of happy. Well, not happy, but they took responsibility for the pain that they put on our people. It's just not the people that were in residential schools, but the families after that, like the way they were raised…The healing process itself for the people that were in residential schools, it will take years and years.[312]

Elsie Robinson, an 87 year old mother of fifteen and former residential school survivor went to Ottawa to listen to the Apology. She stated:

> I just love it…Our people are strong. They're not stupid. they're beautiful people. We're all turning a page together.[313]

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[309] Canada, House of Commons, *Statement of Apology*, June 11, 2008. http://www.aandc.gc.ca (accessed October 30, 2010).
[310] Interview with [#6-CEP] in Ontario, August 24, 2009.
[311] Interview with [#7-ADR] in Manitoba, May 9, 2009.
[312] Toronto Sun, "Now we have to move on," Thursday, June 12, 2008.
[313] Toronto Sun, "Turning a Page Together" Thursday, June 12, 2008.

Terry Paul, Chief of the Membertou Band, Cape Breton stated this:

> I'm hopeful that his Apology will help me and other survivors move forward. It's not just the end of something, but the beginning of a new relationship.[314]

Gloria Maloney, a Mi'kmaq woman rejected the Apology and stated that:

> I'm not very impressed. You can't undo the harm that we went through. I put in eight years in that dump and they were pretty cruel. My life was destroyed by going to that school and there's no way they can fix it.[315]

The response of residential school survivors towards the Apology can be described as diverse; some had feelings of happiness while others felt a sense of sadness. As stated in the Toronto Star:

> The Apology was important and necessary, but it must not be mistaken for closure, as *Star* Ottawa columnist Jim Travers writes today. With so many of Canada's aboriginal peoples living in Third World conditions, there is a huge agenda of unfinished business to address.[316]

Although a lot can be read into the Apology, the true intent will not be known until the federal government demonstrates its sincerity through meaningful actions and reconciliatory dialogue.

## 4.5 The Assembly of First Nations

The Assembly of First Nations played a pivotal role in negotiating the Settlement Agreement which compensated over 80,000 residential school survivors across Canada. As previously stated, [then] National Chief Phil Fontaine, a residential school survivor, took a lead role in the negotiations with the federal government and the Churches to resolve the residential school issue.

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[314] The London Free Press, "Heads bow, tears flow quietly" Thursday, June 12, 2008.
[315] Ibid, 6.
[316] Toronto Star, Comment, "Credit to Harper for this Apology," Thursday June 12, 2008.

In a speech to the delegates of a forum sponsored by the Truth and Reconciliation Commission, Phil Fontaine shared some insights about the negotiations that lead to the signing of the Settlement Agreement:

> Canadians were not aware of these stories and no one took what was said very seriously, they thought the people that were talking about their experience and the abuses and what the abuses done to them was just a bunch of complainers, whiners and not to be taken seriously. And, that if they were ignored, that eventually they would disappear. But of course that didn't happen, the story didn't disappear; it became larger and larger and more and more people became aware of this important part of Canadian history. And it is really the courage of the people that had been abused and those people who were so determined to make their story a part of public consciousness to move this issue forward and as I said it was a simple story. It complicated a complex set of issues and people couldn't believe that children had been so abused as we said and eventually we were able to convince enough people of the veracity of these stories. People became a little more interested and the government started paying a little more attention."[317]

At one point the residential school claims against the federal government numbered close to 13,000. With the numbers growing and the issue getting bigger and bigger the government needed to do something. Phil Fontaine recalled a discussion with the Deputy Minister stating:

> And I remember sitting on the platform, much like this one, at the final session on the 3rd day of this incredible gathering talking to the Deputy Minister responsible for the file and scratching our head a bit about what are we going to do. This isn't going to do it. It is obvious we need something else and what should that something else be. And I turn to my friend and said "Why don't you look to us AFN, we'll fix it for you, trust us, just give us money" and I said, "I'll put together the best team money can buy and we'll fix it for you." And before he said yes, he said, "How much money do you need?" I gave him a figure. It was not an astronomical number, and he said, "Ok, we'll do it." And so we put our team together."[318]

The AFN negotiation team consisted of Phil Fontaine, Team Leader; Kathleen Mahoney, Lead negotiator; Fred Kelly, Leader; Bob Watts, AFN Chief of Staff;

[317] Phil Fontaine presentation at the National Research Centre Forum, Day 2, March 2, 2011, http://www.trc.gov.ca
[318] Ibid.

Charlene Belleau, AFN – IRS Division; Aaron Renert, Quantitative Analyst/Modeler and John Kingman Phillips, Class Action expert.[319] Of these seven individuals, three were residential school survivors.

In 2005, the AFN team released their report entitled "Report on Canada's Dispute Resolution Program to Compensate for Abuses in Indian Residential Schools,"[320] which included the 10+3 formula, recommendations for the improvement of the existing ADR process as well as a TRC, Research Centre and Commemoration Fund.

But the work of the AFN did not stop there. Soon after the Agreement-in-Principle was signed Phil Fontaine received another call from the Deputy Minister asking him about appointing a representative of the federal government to shepherd the deal. To this telephone call Phil shared these remarks:

> We were convinced that Justice Iacobucci was the right person to represent the federal government and we had negotiations with all of the parties, the Catholic Church entities, the Anglican Church, the Presbyterian Church, United Church, class action lawyers, I think 19 class actions had been filed. And, we began the process of negotiations."[321]

He further stated that:

> On November 21 at 11:59 p.m. that evening all parties and their representatives signed onto the agreement-in-principle. 11:59, just before the clock struck 12, we did it and you can imagine the feeling in the room."[322]

Ken Young, Legal Advisor to [then] National Chief Phil Fontaine can attest to the lengthiness of the negotiations with the federal government and the Churches. He

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[319] Assembly of First Nations, *Resolving the IRS Legacy. The Indian Residential Schools Settlement*, Presentation slides. http://www.afn.ca (April 30, 2007).
[320] Assembly of First Nations, *Report on Canada's Dispute Resolution Program to Compensate for the Abuses in Indian Residential Schools* (Ottawa: Assembly of First Nations, 2005)
[321] Phil Fontaine presentation at the National Research Centre Forum, Day 2, March 2, 2011, http://www.trc.gov.ca (accessed June 30, 2013).
[322] Ibid.

stated there were many nights when the negotiations would go into the wee hours of the morning lasting 10 – 12 hours a day because they could not agree on various points.[323] The negotiation process became so intense at one point during the political haggling between the Assembly of First Nations and the federal government, [then] National Chief Phil Fontaine according to his own account, threatened to withdraw from a high-profile Cabinet policy retreat unless progress was made on the residential school issue.[324] These types of political manoeuvres, although sounding callous and calculated, helped to get a Final Settlement Agreement with the federal government.

### 4.6 The Indian Residential School Settlement Agreement

The Agreement in Principle was signed by the [then] National Chief, Phil Fontaine (on behalf of the AFN) and Honourable Frank Iacobucci (on behalf of Canada) on November 20, 2005.[325] This Agreement included the Early Payment for the Elderly[326], the CEP, a new ADR process, the TRC, a Commemoration Fund in the amount of $20 million, and a healing fund in the amount of $125 million for the AHF.[327] The Settlement Agreement is a lengthy document containing 18 articles and 25 Schedules. The only sections discussed in this dissertation are Schedules "M" and "N" of the Settlement Agreement. Schedule "M" deals with the continuation of

[323] Ken Young, interview by author, Kamloops, British Columbia, August 8, 2009.
[324] Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada.* (Vancouver: University of British Columbia Press, 2010), 139.
[325] Assembly of First Nations, *"Assembly of First Nations National Chief Applauds Historic Reconciliation and Compensation Agreement as a Major Victory for Residential School Survivors,"* http://www.afn.ca/articles (accessed November 23, 2005).
[326] The Early Payment was designed to pay those survivors over the age of 65 a quick payment of $8,000 which would be later deducted from their total entitlement.
[327] Assembly of First Nations, *Indian Residential Schools Settlement Agreement*, http://www.afn.ca.articles (accessed January 28, 2008).

funding for the AHF and healing supports; and Schedule "N" provides the mandate for the TRC of Canada.

## A. Schedule M: Continuation of the AHF

Schedule "M"[328] of the Indian Residential School Settlement Agreement provided for the continuation of funding to the AHF. In February 2005 the federal government committed an additional $40 million to continue the healing programs and promote understanding and awareness of the IRS legacy.[329]

Funding was also provided for mental and emotional support services for residential school survivors during the IAP and CEP processes as outlined in the Indian Residential Schools Resolution Health Support Program guidelines:

> Cultural supports seek to assist former students and their families to safely address issues related to Indian Residential Schools as well as the disclosure of abuse during the Settlement Agreement process.[330]

Although helping survivors through the process was important the agreement fell short of providing additional support required once the process was complete and the survivor returned to their normal place of residence.

At the time many thought the allocation was sufficient. However the truth was soon revealed when the doors of the AHF were permanently closed in 2014. The AHF explained the financial allocation made to the organization in this way:

> The $40 million would allow extension of 91 out of 364 active funded projects representing 24% of the total.[331]

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[328] For a full text of Schedule M of the IRSSA see Appendix 12

[329] Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 1, A Healing Journey: Reclaiming Wellness* (Ottawa: Aboriginal Healing Foundation, 2006), 22.

[330] Health Canada, *"Indian Residential Schools Resolution Health Support Program,"* http://www.hc-scgc.ca/fniah-spnia/services/indiresident/irs-pi-eng.php (accessed June 2, 2013).

[331] Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 1, A Healing Journey: Reclaiming Wellness* (Ottawa: Aboriginal Healing Foundation, 2006), 22.

In a press release, Mike DeGagne, Executive Director of AHF stated the actual cost to fund all active projects was $115 million.[332] The figures clearly illustrate the disparity in funding. These amounts also display the drastic financial cuts made to the healing programs earmarked for healing the residential school legacy. The fact that the program ended when so many people benefitted from the healing initiatives conducted is disheartening.

## B. Schedule N: Truth and Reconciliation

Schedule "N"[333] contains the framework for the TRC of Canada. This schedule may be one of the most important components of the Settlement Agreement next to compensating survivors. It is important because it provided an opportunity for Canadians from across the country, both Aboriginal and non-Aboriginal, to listen and to speak about this dark period in Canadian history.

### The TRC of Canada

The Federal government and Aboriginal representatives of Canada officially breathed life into the TRC on April 28, 2008 when they appointed Justice Harry LaForme as the Chief Commissioner.[334] Shortly thereafter two additional Commissioners were announced: Jane Brewin Morley and Claudette Dumont Smith.[335] Unfortunately, the Commission was short-lived. Chief Commissioner LaForme announced his resignation citing irreconcilable differences with the other

[332] Ibid.
[333] For the full text of Schedule N of the IRSSA see Appendix 13.
[334] CBC News, "LaForme to Lead Residential Schools Commission." April 28, 2008.
[335] News Release, Office of the Honourable Chuck Stahl. May 13, 2008.

two appointed Commissioners 6 months into the work of the TRC.[336] The original Commissioners were chosen by a Selection Panel consisting of representatives from national Aboriginal organizations, Church entities and government from more than 300 submissions received after a call for nominations.[337]

The TRC came to a halt when the Commissioners resigned leaving these positions vacant. However, eight months later, on June 10, 2009 the TRC welcomed three newly appointed Commissioners. The Honourable Justice Murray Sinclair was appointed Chief Commissioner and Marie Wilson and Wilton Littlechild were appointed Commissioners.[338]

The TRC was given a huge mandate that included beginning the process of reconciling the relationships between Aboriginal people and the government, the Churches and the Canadian public. The Settlement Agreement provided the TRC with five years to conduct the work outlined in Schedule N. Some of the tasks included: receiving statements from former students, family members, community or others; conducting research; hosting seven National Events; approving community events; collecting statement-taking/truth sharing either written, electronic or otherwise; hosting a Closing Ceremony; and establishing a National Research Centre.[339] According to Jennifer Llewellyn:

> The commission will face significant challenges along the road, but its efforts will pave the road toward reconciliation for Canada and serve as a compass

[336] Canadian Newswire, "Justice Harry S. LaForme resigns as Chair of the Indian Residential School Truth and Reconciliation Commission." October 20, 2008. Toronto, Ontario.
[337] Canada, Indian Residential School Resolution, News Release, May 13, 2008, http://www.irsr-rqpi.gc.ca (accessed October 30, 2010).
[338] Canada, Truth and Reconciliation Commission, News Release, http://www.trc.ca (accessed October 12, 2009).
[339] Canada, Indian Residential School Settlement Agreement. http://www.aadnc.gc.ca (accessed May 10, 2006.

> for others around the world that will try to travel this same road in the future.[340]

The work of the TRC officially came to an end in June 2015 with the release of a summary of their final report containing 94 recommendations.[341] Along with the 94 calls to action the Commissioners asserted that Canada perpetuated a cultural genocide on Aboriginal people beginning in the 1880s and lasting well into the past century.[342] It may take years before any results from the work of the commission are seen within Canada. Nevertheless, the federal government has the opportunity to do make things right by meeting with First Nation leaders to decide how to move forward.

Upon reflecting of this chapter's title: "In Search of the Waterdrum," a parallel between the teachings of the Seventh Fire prophecy and the movement that occurred during the 1960s and 1970s emerged. It has become clear that the events that led residential school survivors from a place of hopelessness to the signing of a Final Settlement Agreement were foreseen by the seven prophets in the Seventh Fire teaching. The New People remained strong and fought tirelessly until a settlement agreement was ratified. When the final settlement agreement was signed the voice of the New People had been heard.

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[340] Jennifer Llewellyn, "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools,* ed. Marlene Brant Castellano, Linda Archibald and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2008), 188.

[341] Joseph Brean, "Canada is Accused of Cultural Genocide," *National Post,* Wednesday, June 3, 2015.

[342] Michael Den Tandt, "Sweeping Call for Change Ensure None will Unfold," *National Post,* Wednesday, June 3, 2015.

# Chapter 5.0 Finding the Pieces of the Waterdrum: Methodology

Those Anishinabe that follow the teachings of the Midewiwin Society use two different types of Waterdrums in the Midewiwin Lodge: the Grandfather Drum and the Little Boy Waterdrum.[343] The Grandfather drum can be recognized by the hoop placed at the top of the drum while the Little Boy Waterdrum is tied together with seven small, round stones. In this dissertation when referring to the Waterdrum it is the Little Boy Waterdrum[344] being referenced.

The Waterdrum is constructed using various elements taken from Mother Earth. The elements required to assemble a Waterdrum include a hollowed tree, a piece of deer hide, seven round stones, approximately six feet of leather lace, a wooden plug and water. Once the various parts are gathered they are placed on the Drumkeeper's alter[345] in preparation for dressing. Putting the pieces of the Waterdrum together is referred to as dressing the Little Boy.

In this chapter the dressing of the Little Boy can be compared to preparing for a research project to begin. When constructing a Waterdrum the builder must search for a tree that will be used to construct the drum. Not just any tree will suffice. It has to be a tree which can perform the duties required of a Waterdrum. Similarly, before a research project begins the author will search for the appropriate methodology that suits the research project. In this dissertation both Anishinabe and qualitative methodologies are used. At this juncture a note regarding the teachings of the

[343] Edward Benton-Banai, *The Mishomis Book,* 1st ed. (Minneapolis: University of Minnesota Press, 2010), 71

[344] The Little Boy Waterdrum is used in this research for this was the vision that came to me as I searched for the framework to be used in this dissertation.

[345]The Drumkeeper's altar is the place where the sacred objects used in a ceremony are placed. Normally the sacred objects are placed on a cloth or animal hide but the type of altar a Drumkeeper uses is their choice.

Anishinabe is warranted. Although this dissertation is written by an Anishinabe Kwe that is a member of the Midewiwin society, the reader needs to know that not all Anishinabe people follow these specific teachings. Anishinabe follow a variety of other spiritual practices and teachings besides those of the Midewiwin Society. As such it should not be assumed that all Anishinabe are members of the Midewiwin Society. It is also important to note that many Anishinaabe are Christians.

Having said this I want to now move onto the methodology used for this research. In the following pages the methodology and details regarding the mechanics of this dissertation are shared to impart an understanding of the preparations that went into this research.

## 5.1 Anishinabe Methodology

This section begins by sharing how an Anishinabe methodology came to be an important part of this dissertation. The decision to use an Anishinabe methodology did not come automatically. It came at a writing retreat in 2011. After putting extensive thought into the stories of residential school survivors the teaching of the "voice" of the Waterdrum came to me. Envisioning the Waterdrum and the teachings, it became evident this would be the framework for my work. The feeling that ran through my body convinced me this was the appropriate methodology to use.

Reflecting back to this day reminds me of how immersed into mainstream academia a Ph. D. student becomes. Although I am an Anishinabe Kwe studying in an Indigenous Studies program colonial methodologies were at the forefront of my mind. It was only when asked to think of a theoretical framework for the research that thoughts came to mind about incorporating something connected to my cultural

identity. Thinking about this seems so strange now, considering I am an Anishinabe Kwe and First Degree Midewiwin member of the Three Fires Midewiwin Society. The only logical explanation was the fear of exploitation.

To satisfy this reluctance of using an Anishinabe methodology a search of the literature regarding Indigenous methodologies began. After reading several texts by prominent Indigenous authors, I found that many Indigenous researchers were utilizing Indigenous methodologies and more literature was emerging and taking its place amongst the buffet of current works. After this I was convinced that incorporating an Indigenous methodology and framework would not be exploitative but rather informative. It was reassuring to learn how other authors were advocating the use of Indigenous methodologies to resonate with our unique perspectives. According to Wilson Indigenous methodologies are now being used in the research of Indigenous scholars throughout the world. He states that:

> Within the past decade though, research and researchers have begun to change. More is being done to bring Indigenous communities into the research process, and the usefulness of the research is becoming more visible and beneficial to communities. A precursor for this change has been the growing number of Indigenous people who have excelled in academia and who focus their study on their own peoples. These new Indigenous scholars have introduced Indigenous beliefs, values and customs into the research process and this in turn has helped research to become much more culturally sensitive to Indigenous peoples.[346]

By using research methodologies that are culturally relevant and sensitive to Indigenous people, Indigenous researchers are able to use their stories as theoretical frameworks within which they can interpret other stories, teachings and experiences.[347] Margaret Kovach explains that:

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[346] Shawn Wilson, *Research is Ceremony: Indigenous Research Methods* (Halifax: Fernwood Publishing, 2008), 15.

[347] Leanne Simpson, *Dancing on our Turtle's Back: Stories of Nishnaabeg Re-Creation, Resurgence and a New Emergence* (Winnipeg: Arbeiter Ring Publishing, 2011), 32.

> Conceptual frameworks make visible the way we see the world. Within research, these frameworks are either transparent (i.e. through form) or not, yet always present. The rationale for explicit representation of one's conceptual framework is that it provides insight into a researcher's beliefs about knowledge production, in general, and how those beliefs will impact the research project. The content and form of the conceptual framework itself assists in illustrating the researcher's standpoint, thus giving the reader insight into the interpretative lens that influences the research.[348]

Kathleen Absolon further states that:

> The past, present and future intersect and much of our research is about searching for truth, freedom, emancipation and ultimately finding our way home. Finding our way home means searching to return to our roots and finding the dignity and humanity intended by the Creator.[349]

The Anishinabe conceptual framework includes the six elements that are required to dress the Waterdrum: the tree, the stones, the deer hide, the deer hide lacing, the water and the wooden plug. Simpson, Kovach and Absolon state that using our own theoretical framework helps Indigenous researchers such as me, to better understand Western research practices. Kovach further states that:

> …We carry our framework, which is not inherently good or bad, around with us and it is through this framework that we view the data.[350]

When I think of the residential school story I see a parallel between the Waterdrum and the Residential School Legacy. As the story unfolds one chapter at a time, the stories of the Waterdrum and the residential school survivors merge and are carried into the future.

Pondering the usefulness of this methodology for other researchers I must share that it has limitations. Firstly, the methodology comes from an Anishinabe

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[348] Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts* (Toronto: University of Toronto Press, 2009), 41.
[349] Kathleen Absolon, *Kaandossiwin: How We Come to Know* (Halifax: Fernwood Publishing, 2011), 55.
[350] Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts* (Toronto: University of Toronto Press, 2009), 41.

perspective, meaning that the usage of such requires the individual to have been mentored in Anishinabe knowledge. Secondly, the framework originates from the teachings found within the Midewiwin Lodge of the Three Fires Society; teachings that are embedded within the sacred knowledge acquired by being a member. It is for these reasons that I must warn other researchers that this methodology is not one that can be picked up and used so readily. This methodology belongs to those who are Anishinabe and members of the Midewiwin Lodge. Usage by any other researcher would discredit the sacredness of the knowledge.

With those words of caution I now want to move onto a description of the research components of this study to demonstrate the complexity of the research process utilizing an Anishinabe Kwe Midewiwin Lodge lens.

## A. Tree – Anishinabe Conceptual Framework

The hollowed tree stump carved into the Waterdrum is the conceptual framework employed for this dissertation. This framework is borrowed from the teachings of the Waterdrum transmitted in the Three Fires Midewiwin Lodge.

The drum is the heartbeat of Mother Earth. As long as the heart continues to beat the life of the Anishinabe people will remain. The powerful and beautiful voice of the Anishinabe is the being that accompanies the sounding of the Waterdrum. The importance of the Waterdrum should never be underestimated for it is the voice of the Anishinabe. Without the appealing sound of the Waterdrum and the beautiful voice of the Anishinabe people, the Eighth and Final Fire will never be lit.

## B. Stones – Methodological Principles

The stones tied around the Waterdrum are used to illustrate the various methodological principles required to undertake this study. To illustrate these principles this section is divided into sub-sections to represent the stones used to tie the Waterdrum. In the circle of stones that fastens the deer hide to the base of the drum no stone is more important than the other. Each stone is important to the overall construction of the Waterdrum as are the methodological principles of a dissertation.

### Stone 1: Relationality

In Anishinabe society, as well as other Indigenous societies, relationships are extremely important to the peaceful co-existence of the community. Relationships not only exist within the human realm but also within the spiritual and physical realms as well.[351] According to Anishinabe teachings all living things within the universe are interconnected therefore relationships are crucial to the survival of humankind and the universe.

Before commencing interviews with residential school survivors a plan had to be developed. To capture a broad cross-section of residential school survivors from across Canada it was decided interviews would take place in Ontario, Manitoba and British Columbia. Manitoba was chosen because it is a central province and British Columbia was selected because a previous research project identified a large number or residential school survivor litigants resided in this province and Ontario was chosen because it is my home territory

[351] Kathleen Absolon, *Kaandossiwin: How We Come To Know* (Halifax: Fernwood Publishing, 2011), 125.

Even though well planned, the interview process did not roll out as expected. Contact people were needed to locate and identify residential school survivors to interview. I began by thinking of relationships established with various people in Manitoba and British Columbia. One of my best friends (Pauline Terbasket) lives in British Columbia so that was easy. But, I knew very few people in Manitoba.

Shortly thereafter, I attended a residential school conference held in Winnipeg, Manitoba and was fortunate enough to meet Jennifer Wood, the Coordinator for the Residential School Survivors program at the Assembly of Manitoba Chiefs office. She agreed to be my contact person in Manitoba. Susie Jones, a resident school survivor, was my contact person in Ontario.

Absolon describes relationships in this way:

> Community relationships are another common strength of Indigenous methodologies. Consistently, conscious Indigenous re-searchers agree that our searches be purposeful and beneficial to community (whatever that community is and represents). My re-search community is comprised of a diverse representation and includes Indigenous educators, scholars and searchers. I also have my traditional community, geographic community and nation community. I have a clan family and a circle of people who I choose to be in relationship with and who lovingly support me. Some searchers may interpret community to be their reserve, their First Nation, Indigenous peoples generally, their land base, either cultural orientation or their lifestyle. Community is determined and defined with respect to the searcher.[352]

In this case the community relationships consisted of those involved in the residential school issue, family, friends, those of Anishinabe ancestry and others that worked with residential school survivors.

Another important relationship fundamental to the success of this dissertation was my friendship with Elder Shirley Williams, Professor Emeritus, of Trent University. Shirley was a residential school survivor and a role model for the AHF.

[352] Kathleen Absolon, *Kaandossiwin: How We Come To Know* (Halifax: Fernwood Publishing, 2011), 127.

Also, Shirley was a previous professor of mine at Trent University. Therefore, I knew Shirley, but not as well as I would in the months that followed entry into the Ph. D. program. Together we developed and taught a university course on residential schools for two years while I completed my residency requirements at Trent. We travelled to residential school conferences together and met regularly for breakfast, lunch or supper. Because she is knowledgeable of the residential school legacy, she was invited to be a committee member on this dissertation journey.

**Stone 2: Outsider/Insider – Respecting Local Protocols**

Another consideration requiring prior thought and consideration was how to enter each Aboriginal community without offending community members. Going into an Aboriginal community without prior contact or a contact person would be a grave mistake because community members do not think favourably of research conducted within their community by outsiders. Therefore, as an outsider I would need someone to introduce me to those individuals to be interviewed in the provinces of Manitoba and British Columbia. And, more specifically, in the urban centres or Aboriginal communities where the residential school survivors were located. According to Linda Smith:

> Most research methodologies assume that the researcher is an outsider able to observe without being implicated in the scene. This is related to positivism and notions of objectivity and neutrality…Indigenous research approaches problematize the insider model in different ways because there are multiple ways of both being an insider and an outsider in indigenous contexts. The critical issue with insider research is the constant need for reflexivity.[353]

[353] Linda Smith, *Decolonizing Methodologies* (Dunedin: University of Otago Press, 1999), 137.

Although outsiders are useful in some instances it is important not to offend survivors in their own community. Therefore, I eased myself into the urban community of Winnipeg and into the Okanagan Nation in two very different ways.

In Winnipeg, my contact person Jennifer Wood made the initial contacts with the people that were interviewed and she set up the interviews at the Assembly of Manitoba Chiefs offices. Because she made the initial contact she acted as the gatekeeper between me and the survivor. She knew most of the residential school survivors in the Winnipeg area and they knew and trusted her; so, they were open to being interviewed.

In the Okanagan Nation territory I was fortunate to be in the area when several residential school survivor gatherings were scheduled in Penticton and the Lower Similkameen Indian Band. My contact person took me to these gatherings and introduced me to many of the survivors. While in the area it was possible to also attend several other community social events such as wedding anniversaries and baseball and basketball games. Attending these gatherings proved to be an excellent opportunity to meet a lot of residential school survivors. Therefore, when it came time to start interviews people in the community were familiar with me which made interviewing easier.

The interviews conducted on Walpole Island First Nation introduced a set of different variables because this was my home territory. Although viewed as an insider, my relationship with the community triggered a different set of expectations. As stated by Smith:

> Insiders have to live with the consequences of their processes on a day-to-day basis forever more, and so do their families and communities. For this reason insider researchers need to build particular sorts of research-based support systems and relationships with their communities. They have to be skilled at

> defining clear research goals and "like…. Of relating" which are specific to the project and somewhat different from their own family networks.[354]

As an insider researcher there is still the requirement to be ethical and respectful, as reflexive and critical as an outsider[355] while being humble at the same time. Smith states that one of the difficult risks insider researchers take is to "test" their own taken-for-granted views about their community. It is a risk because it can unsettle beliefs, values, relations and the knowledge of different histories within the community.[356]

On Walpole Island the residential school survivors have been meeting for the last five to ten years on a regular basis. My mother was a part of this group before she passed away in 2007. I had attended several meetings with her so the group members were aware of my interest in the subject. When it came time to interview members of this group I contacted the group's organizer to inform her of my research and to ask for her guidance. She arranged for me to introduce the research at a Residential School Survivors meeting scheduled in February 2009. After the presentation ten people indicated that they were interested in being interviewed.

**Stone 3: Ethical Considerations**

There were many ethical considerations to consider before undertaking this research. Past experience working with residential school survivors gave me insight into the type of questions that could be asked and those that could do potential harm during the interview process. Some of the ethical considerations to be considered prior to interviewing survivors for this research included, but were not limited to:

[354] Ibid, 137.
[355] Ibid, 139.
[356] Ibid, 139.

what to do if a person disclosed a physical or sexual assault they had never disclosed to anyone else; what to do if the person went into a fit of rage; how to respond if the person cried uncontrollably; what to do if the person fled the room.

Every possible situation that could arise had to be examined and a response and plan considered beforehand. For example, if a residential school survivor was triggered during the interview and recalled an incident of physical or sexual abuse and went into a rampage I had to know exactly how to deal with the situation. I had to have information and phone numbers to local counsellors, police and family members, if none were present. Depending on the circumstances a decision to respond to the crisis would have to me made immediately – to either allow the individual to continue in a rage without interruption or to ask if they needed a traditional person to be called. Therefore, as I approached each interview I was prepared with resource information required in case of an emergency. As every possible hypothetical scenario was pondered a response had to be prepared.

**Stone 4: Creating the Time and the Place**

Another consideration decided beforehand was the place where the interview would be conducted and the time required. Every residential school survivor interviewed was given the opportunity to name the location where they would be interviewed, either in the comfort of their home, in a community hall, in a hotel room or at an Aboriginal organization with which they were familiar. To ensure they felt safe and comfortable each survivor was able to state the time they would be interviewed. Safety was one of the most important aspects of the interview process; therefore, every survivor was accommodated to the best of my ability.

For many the option of having the interview in a place determined by the interviewee worked well; 14 were interviewed in their homes, 7 were interviewed in Band offices and 2 were interviewed in my home and 1 was interviewed in a hotel room. In 2009 I travelled extensively to Winnipeg, Kelowna, British Columbia to conduct interviews with residential school survivors who experienced either the CEP, ADR/IAP or litigation processes. The first interviews were conducted from February 17 – 20, 2009 in Winnipeg, Manitoba at the offices of Assembly of Manitoba Chiefs. In April of 2009 I travelled to British Columbia and conducted interviews on April 28 and 29th. During the summer months I conducted interviews in my home community of Walpole Island; 5 were conducted from June 2 – 16th, 2 were conducted in July, 1 on August 24th. In August of 2009 I travelled once again to British Columbia to finish interviews. During that time I conducted interviews 4 interviews on August 18 and 19th. In October of 2009 I travelled to Manitoba once again to conduct interviews; during this visit I was only able to conduct 1 interview on October 21st. In November I conducted another interview Hamilton, Ontario. At the end of 2009 I felt I did not have a large enough sample to analyze so I travelled once again to British Columbia to conduct interviews. During this visit I was only able to conduct one interview in Vancouver on August 13, 2010. I realized that at this point my contacts and interested interviewees were depleted. I would have to be satisfied with analyzing the interviews conducted because my financial resources were also depleted.

**Stone 5: Reciprocity**

Reciprocity in Aboriginal communities is taught when children are very young. For everything a person takes from Creation something must be given back. This notion is reflected in the work of Bagele Chilisa as shared here:

> Third and fourth-world communities have resisted intrusion into their lives since the colonial period. The resistance has been largely ignored because, in essence, it questions the validity of the colonial research-built theories. Once they brought tobacco, Ellis and Earley (2006) report, key informants responded positively to the request for the interview saying "You have shown respect for our ways by offering tobacco and smudging, your intentions seem to be good ones, let's see how we can help you."[357]

The practice of offering tobacco is important to Aboriginal people in many areas of Turtle Island; therefore, upon entering Okanagan, Saulteaux and Cree territory tobacco was offered. In Anishinabe society tobacco is offered to give thanks for the knowledge gained from the interview.

In this exchange as a doctoral student what is learned has to be given back to the community. Giving back can take many shapes and forms. In this instance I give back not only to my immediate family, but to my community, the Anishinabe people and the Aboriginal people of Canada. By undertaking this study the words of the survivors are shared regarding their experiences with the processes. By sharing with those who are interested, I give back what has been learned to every reader.

In a research context Kovach states:

> They say that we traditionally knew about portal, the doorway, how to get knowledge and that it was brought to the people by sharing, by community forums, by sitting in circles, by engaging in ceremony, by honouring your relationship to the spirit. When we do that, the spirit will reciprocate and we will be given what we are needed.[358]

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[357] Bagele Chilisa, *Indigenous Research Methodologies* (Los Angeles: Sage Publications, 2012), 115.
[358] Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts* (Toronto: University of Toronto Press, 2009), 154.

The belief in reciprocity and doing things in the right manner ensures that researchers will be given what we need to complete our research.

**Stone 6: The Interview Questions and Process**

The interview involved ten questions. Eight of the ten questions dealt with the process utilized for the compensation payments; the other two asked questions regarding the Truth and Reconciliation Commission. A list of the questions can be found in the Appendix 12.

The interview process began by explaining the interview process, signing the Informed Consent form,[359]reading the Information Sheet[360] and the Feedback Form.[361] Each survivor that participated could expect at least one hour for the interview, however, some interviews were as short as fifteen minutes. The majority of the interviews were conducted beginning in February until November 2009 with the exception of one which was conducted the summer of August 2010.

The interviews were recorded and later transcribed by myself using a digital recorder and laptop computer. The recorder and laptop both have secured passwords so no one can access the files unless given the password.

**Stone 7: Cultural Protocols**

When conducting research in an Aboriginal community cultural protocols are important to consider when planning the research strategy. With familiarity of my own community, very little preparation was needed. However, learning proper

[359] The Informed Consent form can be found in Appendix 2.
[360] The Information Sheet can be found in Appendix 1.
[361] The Feedback Form can be found in Appendix 3.

protocol for various Aboriginal people in British Columbia and Manitoba was extremely important for conducting the research in a respectful manner because I knew very little of the cultural protocol of these two regions. After initial conversations with the support people from each community I learned the cultural protocols required for requesting information from a person was the offering of tobacco. I also learned that those survivors who had converted to Christianity it would be offensive to offer them tobacco therefore this was not an acceptable practice. With this information I made a decision to offer tobacco pouches for those that followed traditional practices and gifts to those that practiced Christianity. In British Columbia the majority of the people interviewed were from the Okanagan Nation. In Manitoba, those interviewed were either of Saulteaux or Cree ancestry. On Walpole Island all of those interviewed were of either of Ojibway ancestry.

Each of the contact people in these two provinces provided invaluable guidance to the correct protocol in each region. In Aboriginal society it is common practice when approaching Elders for knowledge a gift of tobacco is offered as stated by Simpson:

> When we put our tobacco down and ask for help to solve a problem, to come up with a strategy or so that the Stone we threw ripples through the world in a positive way, we are asking the implicate order to visit our action.[362]

However, during the residential school era the cultural practices within many communities were lost and many Elders and residential school survivors converted to Christianity and did not practice their traditions any longer. For this reason, direction from the contact people on how to approach the survivors to be interviewed was critical, for they knew their community members. On their advice, it was decided to

[362] Leanne Simpson, *Dancing on our Turtle's Back* (Winnipeg: Arbeiter Ring Publishing, 2011), 146.

offer either tobacco pouches or gifts to those interviewed based upon the recommendations made by the contact person.

### C. Deer hide – Positionality and Self-care

The deer hide stretched over the wooden base of the Waterdrum represents my positionality within the research. During the interview process I learned quickly how emotionally draining a discussion regarding residential school experience was for both myself and the interviewee. For this reason, it was crucial that I take care of myself, mentally, physically, emotionally and spiritually. Taking care of myself meant that I not take on the negative emotions and feelings of those who were interviewed, should they surface. I had to learn to shake the negativity created by the topic of residential schools whenever it began weighing me down.

At times a call to Elder Shirley Williams for support was needed. At one particular time in Winnipeg a survivor's reactions took me by total surprise. Settled into a secluded space at the Assembly of Manitoba Chiefs office the survivor was welcomed when he walked in. He began by stating he was not going to participate in the interview and he thought this research was not right. He continued on for about half an hour. Then he smiled and left the room. Astounded and almost in tears I went to Jennifer's office and told her what happened.

At that point in the research process I began to doubt myself and wanted to drop all things and run home. Instead I called Elder Shirley Williams who reaffirmed there would always be someone that would disagree with what I was doing and to think about all the positive experiences and move forward with this important

research. This example demonstrates the importance of having a support person to assist through the rough times so the work can continue.

### D. Deer hide lacing – Important considerations

The lacing securing the deerhide over the top of the drum is seen as the considerations taken into account before conducting the research. Before the interview process started, the implications of the research had to be considered from many different angles for both myself and those who would be interviewed. Before the interview process began every stone would have to be turned over and thought through to ensure no preventable harm would come to the survivors.

### Support Systems

Undertaking a research project that involved interviewing residential school survivors was an incredible responsibility, more than ever imagined. One very important aspect of the interview process was finding support networks in the area. The support person identified was contacted before scheduled interviews to ensure they would be available during or after the interview. The name of a traditional person or Elder was also identified in the event the person being interviewed asked for this person.

The support people were selected based on previous experience in the area of social work, profession or traditional experience and recommendation of my contact person in that province. In British Columbia the person contacted was the Team Lead for the Social Services Department for the Lower Similkameen Indian Band in Keremeos. In Manitoba the support person contacted was a member of the Regional

Health Wellness Support group in the urban centre. On Walpole Island First Nation the contact person was a residential school survivor and a mental support worker for the Indian Residential School Health Supports Team for the province of Ontario.

When interviews were arranged each survivor was asked whether they wanted the support person with them when they were interviewed. Participants were also given the option of having a family member, friend or Elder of their choice with them when they were being interviewed.

## E. Water – People

### The Participants of this Research

The water poured into the Waterdrum represents the residential school survivors interviewed: the life-force of the study. Therefore, choosing who to interview had to be considered. The final decision regarding selection of people to interview was made with the assistance of the contact person in each of the locations. The contact person provided a list of residential school survivors that they felt would be a "good candidate" to interview. By a "good candidate" is meant a person that would less likely to be traumatized[363] by the experience and someone who would be able to provide valuable information. It was particularly difficult to determine who to interview in Manitoba and British Columbia. I had to trust my contact person. And, for the most part those recommended were perfect candidates who provided rich and valuable information.

[363] The reference: *those who would be less likely to be traumatized* refers to the individuals that the contact person felt were already on a healing journey and able to talk about their residential school experience without being further traumatized. Although flashbacks can happen to any survivor at any time it was imperative to follow the advice of the contact people in each location because they knew the survivors.

From the interviews conducted, approximately 35 % of those interviewed were from Ontario, 30% from Manitoba and 35% from British Columbia. The people interviewed were equally distributed across all three regions.

The total number of residential school survivors interviewed was 24. The following information provides a profile of those interviewed:

In Ontario a total of 9 were interviewed, 6 were women and 3 were men. In Manitoba a total of 6 were interviewed, 2 were women and 4 were men. In British Columbia a total of 9 were interviewed, 3 were women and 6 were men.

The eleven women interviewed ranged from 50 to 75 years of age. The average age of the women interviewed was 67 years of age.

The thirteen men interviewed ranged from 53 to 80 years of age. The average age of the men interviewed was 63 years of age.

Another interesting fact learned was the youngest child sent to residential school in this group was 4.5 years of age and was from Walpole Island First Nation, in Ontario.

Of the residential school survivors interviewed only one man and one woman were placed in more than one residential school. The woman was placed in two different schools while the man was placed in three different schools.

Another observation was that the longest amount of time spent in a residential school was twelve years. The average time spent at residential school was seven years. The average time spent in residential schools in Ontario was six years; the average time for those in Manitoba was eight and a half years and the average of those from British Columbia was ten years.

## F. The Wooden Plug – My Word

### The Promise I Gave

The wooden plug that secures the water in the Waterdrum represents the promise made to survivors interviewed. While being interviewed, several survivors spoke adamantly about not being quoted properly or their story not being told accurately in other research studies in which they had participated. These statements were deeply disturbing, and as a result, I gave them my word that they would not be misquoted. For many the process was intimidating and difficult. And for some, being interviewed yet again was unwarranted and seen as another exercise of being misunderstood or misinterpreted.

One of the main reasons a qualitative methodology was selected was to ensure that the "voices" of the survivors would be heard. Their story explaining their experiences with the processes needed to be told from their perspective and not from anyone else. While this may be an unrealistic expectation I gave my "word"; further, I sealed my interview commitment with the tobacco offered to the survivor and I am therefore bound by this promise.[364]

## 5.2 Qualitative Research Methodology

A qualitative research approach provided the space that was needed for residential school survivors firstly, to have a voice in the research and secondly, to

[364] In Aboriginal society when one gives their "word" that they will do something for another person their word is generally accepted as a given. This would be comparable to two Western society individuals using a handshake to close a deal. For Aboriginal people giving your word is a sacred covenant. This is especially true since I was speaking to Elders who understand and still practice these sacred ways. Therefore, when I gave my word to the survivors, I made a commitment to them to share the truth as they spoke it.

share their personal experiences in their own words for themselves.[365]Because the residential school legacy is such a sensitive issue, I felt the findings from this research would send a clearer and more powerful message if it reflected the voice and the spoken words of the survivors. Kovach refers to this as giving voice to the marginalized in order to assist in creating research outcomes in line with community needs.[366]

Qualitative research has many other features compatible with Indigenous methodologies and has been used by many scholars.[367] One of the prominent features of qualitative research includes the recording of lived and personal experiences. According to Strauss and Corbin, qualitative research produces findings not arrived at by statistical procedures but rather from a person's life or lived experience, behaviour, emotions and feelings as well as about organizational functioning, social movements, cultural phenomena and interactions between nations.[368] Denzin and Lincoln further state that qualitative research is multi method in focus, involving an interpretative, naturalistic approach to its subject matter.[369] They go on to state that:

> …qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them. Qualitative research involves the studied use and collection of a variety of empirical materials – case study, personal experience, introspective, life story, interview, observational, historical, interactional, and visual texts –

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[365] Egon G. Guba and Yvonna S. Lincoln, "Paradigmatic Controversies, Contradictions and Emerging Confluences," *The Sage Handbook of Qualitative Research*, ed. Norman K. Denzin and Yvonna S. Lincoln (Los Angeles: Sage, 2005), 365.

[366] Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts* (Toronto: University of Toronto Press, 2009), 101.

[367] For a look at the work of other Indigenous scholars using qualitative research methodologies see the work of Joanne Archibald, "Coyote Learns to Make a Storybasket: The Place of First Nation Stories in Education." PhD diss. Simon Fraser University, 1997; and Leanne Simpson, *Dancing on our Turtle's Back* (Winnipeg: Arbeiter Ring Publishing, 2011).

[368] Anselm Strauss and Juliet Corbin, "Introduction: Description, Conceptual Ordering, and Theorizing; Analytical Tools; and Open Coding," in *Basic of Qualitative Research: Techniques and Procedures for Developing Grounded Theory,* 2nd ed. (Thousand Oaks: Sage Publications1998), 11.

[369] Norman K. Denzin and Y. Lincoln, *Strategies of Qualitative Inquiry* (Thousand Oak: Sage Publications, 1998), 3.

> that describe routine and problematic moments and meanings in individuals' lives.[370]

By allowing residential school survivors the opportunity to share their personal experiences, a benefit is provided to both the researcher and to those interviewed. The benefit that I am rewarded with is a rich and powerful interview in the words of the survivors and the benefit that they are rewarded with is the opportunity to share their story and to receive acknowledgement from myself and those that will read their story.

## A. Thematic Analysis

Before interviews were conducted consideration had to be given to how the words of the residential school survivors interviewed would be shared. It was decided to conduct a thematic analysis using NVivo software for the database of interviews. By using a thematic analysis I was able to stay close to the data, which is a powerful method of telling the story.[371]

Denzin and Lincoln state that the stories that people tell are the stories that they live; by telling the stories that people live, they reaffirm them, modify them, and create new ones.[372]Such stories educate the self and others, including the young and those such as researchers, who are new to their communities.[373] In this research each survivor was given an opportunity to discuss their experience with the process that they utilized to make a claim for their personal experience at the residential school

[370] Ibid, 3.
[371] Norman K. Denzin and Y. Lincoln, *Strategies of Qualitative Inquiry* (Thousand Oaks: Sage Publications, 1998), 47.
[372] Norman K. Denzin and Y. Lincoln, *Collecting and Interpreting Qualitative Materials* (Thousand Oaks: Sage Publications, 1998), 155.
[373] Ibid, 155.

they attended. The interview questions posed to the survivors allowed them to share their personal story of their experience.

Another feature of thematic analysis, according to Aronson, is that the analysis focuses on identifiable themes and patterns of living and/or behaviour.[374] NVivo 7 qualitative software has the capacity to store large amounts of data and retrieve common themes, language and information. In my research finding common themes across interviews was very important for my analysis. The identifiable patterns were coded and placed in categories. When conducting a thematic analysis of the interviews, common patterns, thoughts or statements made by the participants are grouped together under a title, a procedure known as coding.

A thematic analysis also involves the recognition of categories in the data, generation of ideas about them, and exploration of meanings in the data.[375] Because the categories and meanings are found in the text or data records, this process demands data management methods that support insight and discovery, encourages recognition and development of categories, and stores them and their links with data.[376]

There has been much criticism of qualitative research by quantitative researchers. One such criticism argues that the data are not credible as stated here:

> While this could be recognized that qualitative research may draw its credibility from other sources than quantification (e.g. richness of the language), those other sources may not be regarded themselves as credible.[377]

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[374] Jodi Aronson, "A Pragmatic View of Thematic Analysis" in *Qualitative Report* 2, no.1, Spring, 1994, 1.

[375] Norman K. Denzin and Y. Lincoln, *Collecting and Interpreting Qualitative Materials* (Thousand Oaks: Sage Publications, 1998), 215

[376] Ibid, 215

[377] Ibid, 18.

Another criticism of qualitative research is the notion that results emerge from data are inconclusive.[378] Although the list of criticisms of qualitative research is long the characteristics of this methodology was resonant with the Indigenous methodology I had adopted. According to Kovach, while Indigenous methodologies and qualitative research share certain values, for example not using statistical procedures and spotting patterns within the data, [379] tribal epistemologies are the centre of Indigenous methodologies, which make them distinct from Western qualitative approaches.[380] This can be seen in the Water Drum methodology which is central to this research study.

Looking back, the vast variety of research methodologies seemed endless at the beginning of the Ph. D. program. But, as the research began to unfold and interviews were conducted the appropriate methodology was apparent. The words shared by survivors coupled with my cultural understanding convinced me that using mixed methodologies highlighted with an Anishinabe framework was the right fit for this dissertation and more importantly would tell the story as it was meant to be told in the voices of the survivors.

[378] Ibid, 18.
[379] Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts*, (Toronto: University of Toronto Press, 2009), 25.
[380] Ibid.

# Chapter 6.0 Sounding the Waterdrum: The Story of the Processes

The teaching of the first Midewiwin ceremony describes a very important aspect of the Waterdrum. In this teaching it states after the Little Boy was dressed, the Old Man pulled the plug out of the hole of the wooden drum and then held the drum up to the Creator and he blew his breath into the drum.[381] This teaching illustrates how the Creator gave the Waterdrum life and how the breath of the Creator is linked to all life.[382] Breathing life into the Waterdrum is similar to the first breath of a newborn baby. When a newborn takes its first breath the baby releases a loud wail. Similarly, a Waterdrum makes an unbelievably beautiful sound when it is tapped with a drumstick. The first breath represents new life and a new beginning.

> The Waterdrum has been prepared and is now ready to do its work.
>
> When all of the preparations were done, the old man took the Waterdrum and sounded its voice four times. The sound of the Waterdrum was carried by the wind to all directions.[383]

The sound of the Waterdrum alerts Creation the ceremony is about to begin.[384] The residential school survivors have waited a long time for their voices to be heard. They have worked diligently to remedy the injustices they suffered. Their efforts have paid off for they have made a mark on a very important chapter of Canadian history – the residential school legacy.

The research shared in previous chapters has been assembled in preparation of the ceremony about to take place. The ceremony will honour the voices of the

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[381] Edward Benton-Banai, *The Mishomis Book*, 1st ed. (Minneapolis: University of Minnesota Press, 2010), 71.
[382] Ibid.
[383] Ibid.
[384] Ibid.

residential school survivors who have shared in this study. In accordance with the Anishinabe methodologies this chapter will be presented in the form of a ceremony within the Midewiwin Lodge with the Lodge Director facilitating the process.

Let us open our minds and our hearts as we listen to the messages they have to offer us. The Waterdrum has sounded its voice – let the ceremony begin.

## 6.1 The Voices of the New People

The residential school survivors previously referred to as the New People have entered the sacred lodge. All those that have come to listen to the words of the survivors have been seated. The Lodge Director stands up to explain what is going to happen in this ceremony. He states that each residential school survivor that speaks will be wearing a ceremonial mask to hide their identity. Each of the survivors will only be identified by initials and the process they utilized to receive compensation. The masks are sacred and must be treated as such.

The Lodge Director goes on to explain the ceremony will be conducted using the four directions: east, south, west and north. Each direction will provide the platform for the survivors to share their words. The ceremony will begin with the East and move clockwise around the circle. He further states the comments made by survivors are organized into four common themes to accompany each direction. The four major themes emerging from the data were: the disturbing cataclysm of the process, bureaucracy of process, fairness of the process and other comments.

The Lodge Director goes on to explain the theme shared in the Eastern direction.

**East: The Disturbing Cataclysm of the Processes**

The first theme includes a variety of feelings and emotions describing the personal turmoil survivors experienced during the process they utilized. The feelings of the survivors ranged from fear to terror including words such as anxiety, traumatic, fright, terror, shame, anger, scared, pain, emotional and so on. Although many survivors used a variety of words to describe their experience, the words chosen by survivors all embodied a sense of traumatic upheaval. Many survivors stated they had to go back to the days when they were in residential school. This experience triggered many different feelings, most of which were negative.

The same results were found in an AHF study of CEP[385] recipients which stated that 40% of the recipients found the process to be difficult or challenging.[386] At first glance this number may appear low; however, it must be remembered the number only includes those that filed a CEP application and does not include recipients utilizing litigation, ADR[387] or IAP[388] processes.

The New People will now be given the opportunity to share their voices within the Lodge. The Lodge Director then moves to the Waterdrum, sounds the drum four times and asks the first speaker to stand, come forward and stand in the Eastern direction and share their words.

> I realized the IAP could be a really traumatic experience… because you have to give in detail the abuses…you have to go back to those days…and it's terrible thing to do if you don't have any support. The first thing I did was shop around for a lawyer. The lawyer started to ask a lot of personal questions about what happened to me, I realized I was not ready for that even though I attended 44 meetings. I asked if I could postpone the meeting until I

[385] CEP refers to the Common Experience Payment outlined in Chapter 4, see page 93.
[386] Aboriginal Healing Foundation, *The Indian Residential Schools Settlement Agreement's Common Experience Payment and Healing: A Qualitative Study Exploring Impacts on Recipients*, (Ottawa: Aboriginal Healing Foundation, 2010): xiii.
[387] ADR refers to the Alternative Dispute Resolution process outlined in Chapter 4, see page 87.
[388] IAP refers to the Independent Assessment Process outlined in Chapter 4, see page 91.

could get some advice and help. I met him again about a week later and I had a list of about 15 different abuses that happened to me. I never shared any of the abuses that happened to me with my family… and I still haven't. I started the process by reading and trying to understand it. I highly recommend that you find support before you start writing anything on paper. I still have some anxiety. I used 5 different support people and I'm glad that I did. I still have a hard time dealing with those memories and incidents…

There I shared my experiences with the adjudicator… the hearing was held in private, at my request. The other two there, one was a lawyer, who I didn't talk to. During the hearing the adjudicator is the only person I spoke to, other than my lawyer and my support people. The adjudicator was the only person that was allowed to ask questions. My lawyer or the Canadian lawyer were not allowed to raise any objections or allowed to cross-examine. I felt the adjudicator provided a comfortable and non-threatening environment. I was especially relieved about that, at no time did I have to meet any of the persons that abused me. My experiences were revealed to the adjudicator. The adjudicator asked only a few questions, and it's your responsibility to give as much detail as possible, you have to prepare yourself, you have to relive the whole thing that was the hardest part about the whole process. I experienced fright, terror, shame and anger, even though it happened to me 45 years ago… It was very trying on a person's patience, emotional health, considering all that it was the most well thought out of parts all the agreements because it's culturally appropriate. [#1: ADR]

The next speaker moves to the East and shares:

I'm scared…I don't want to do it because I know I'm emotional…I like the cash I received, but, I really feel, right now, I haven't been told 'well (names self) you know you're feeling this, we can help you'. I feel I'm able to fill out documents but I really need to talk to somebody where I can release the pain… I don't want to hold it back. I'd like to go to more gatherings. Going to residential school really made me feel not worthy. [#1: CEP]

One after the other, the survivors get up to share their stories.

I feel relief that it's over. I want to forget it and move on. Before this started I pretty well forgot about it, but once and awhile I had scary dreams about that place. I've been in jail a few times, jail is a picnic compared to what I went through there, there was more freedom than residential school.[#2: ADR]

We had to go through hell again and all the atrocities that happened to us again, to relive the horrors of torture and beatings. [#3: ADR]

Others stated that the triggered memories of their residential school experience created anxiety, panic attacks and depression for them. Others stated that they never wanted to talk about their residential school experience because of the pain associated with the memory.

> I never wanted to talk about it (residential school), we kept it secret. I think it's really hard on a lot of people yet. What really bothered me is that it was always cold and you had no one to talk to. I don't know how they determined where to send you, we were sent to different schools, my sister went to Shingwauk; I don't know why they would separate us. [#2: CEP]

Many forgot or chose not to speak about their experiences at residential school once they were allowed to return home. Therefore, when the compensation process started they were inundated with memories of days forgotten. One survivor recalled the rage that he felt while filling out the forms required for the ADR process.

> One time I was filling out some of the forms of the evidence I was to present to them, I was by myself downstairs. I went hay-wire down there, I went into a rage, and it wasn't very good. Although I had all these phone numbers, sometimes when you're in that state, you can't even find the numbers. I was lucky, I ran across to my sister somehow and she just calmed me down. [#3: ADR]

Some survivors felt re-victimized by having to revisit their residential school experience to apply for compensation.

> I feel like I have been victimized again, in a sense that they wanted us to present our case. When I was at the hearing, all they wanted to hear was my experiences with abuse and the length of time I was there; they never asked me what would make me feel better. It should have been part of the process for all of the survivors to address their expectations, like what kind of after-care they need. [#4: ADR]

For others the trauma they experienced in residential schools required extensive healing during their adult life.

> The experience, I had an uphill battle. I took part in 4 Native-run Holistic Healing Centres, cycle of six week programs. One took place at Biidaaban Lodge strictly for thirteen sexual abuse clients that was held at Pic Mobert,

> Cedar Lodge and Native Horizons Treatment Centre. I participated in psycho-dramatic body work with residential school survivors in Regina, Saskatchewan; learning how to release anger, fear and sadness in a safe manner. I did therapy with a Social Worker at Ryerson University in Toronto. In Wikwemikong I worked on reclaiming my connections and did therapy at Naandwedidaa (healing one another) program consisting of healing circles, sweat lodge and participated in the healing of the Raindance Circle ceremony. As well, making visits to see the Traditional Healers, Seers, Herbalist and Elders. Also I filled out many reports and searched documents regarding my employment, income, health, education and any of the matters raised in the feedback form. Today I'm still doing therapy with Dunlop Associates sponsored by Ontario Health Canada. All the work and healing I've done and received was very rewarding. Now I am able to help myself, my children and others who are affected by the residential school syndrome. In settling my claim I should be able to talk about the abuse suffered at the IRS in a safe manner. [#5: ADR]

Another survivor stood up and told that the process required him to re-live the trauma he suffered in residential school.

> We had to go through hell again and all the atrocities that happen to us again, to relive the horrors of torture and beatings. I'm not talking about big adults, we were little children, getting punched with fists, kicked with boots and getting strapped with belts that were made from sawmills that were a lot bigger than fan belts for cars, they were about 3 times bigger than that, drew blood when they hit us. I've been sore most of my life, my neck, my back and I go to doctors now and they say "oh you got arthritis and stuff like that" but I remember getting hit on top of the head (slap sound) like this by a big giant of a man and shocks going right down to my tail bone, getting knocked out and getting kicked about 20 feet, because I was cold, just because I was cold, trying to warm my hands and sitting on my feet, trying to warm my feet up, working out in the fields. I don't even remember the guy's name, I don't know if he's alive yet, and after he finished his job he turned out to be a boot-legger. It was almost every day, I'm sore and I have all this stuff, I have my teeth paid for, from the residential school money, they were all knocked out in front and in the back, from residential school, I didn't have teeth most of my life. A lot of stories, nobody hardly believed us, they sounded so gross and far out, like human beings could be like that. [#3 -IAP]

Several of the survivors interviewed talked about how their family members were also affected by the residential school legacy.

> It impacted us in a negative way and it's now impacting the second and third generation. It's part of our history, we should acknowledge it and the children should understand what happened. I believe it will make individuals and families understand what really happened. [#1: ADR]

There also appeared to be mistrust of the Federal government's motives and sincerity surrounding the compensation package that was negotiated.

> They're not really trying to help, money wise. A lot of people that went through residential school are really poor people, the majority of them. The ones that were really impacted never had jobs most of their lives, except seasonal jobs. This process came into our lives and it seems like they're just trying to minimize everything again. After bringing up the ghosts and demons they produced within me, it seemed like it was so little that they had to give. The compensation for me is not a one-time thing, my kids need things, my mom needs things, my brothers and sisters need something, and their kids get the impact and my grandchildren get impacted, and they're all going to need help, they're going to need a process to continue to restore this. It's their doing, so they got to take responsibility, because we are with our healing. [#3: ADR]

One survivor shared how she was bullied and was instilled with fear at bedtime.

> They would do things, they'd push you around; if you were playing they'd bang into you and knock you down, like a bully. There was a lot of that, and the staff people weren't there every minute, they left all the kids in a room and the staff were gone for almost an hour. Those are the parts I hated, because all the older kids would pick on all us smaller ones. They had them to about 15 in our group and the ones [who] were 16 and up were considered the older ones.
>
> All girls together, but the boys used to sneak around on our side. Boys were in half the other school, and those boys would come over there and go to the upper floor mostly but some of them would make mistakes and sneak into our part and they would try to mess with us. I bit one guy in the arm. The staff members didn't sit in there with you all night or even check on you, maybe once or twice a night. The office should have right next to the door that led into our room, it was a big room. Some kids would have nightmares and because of those boys sneaking in, I couldn't sleep, it was hard for me to sleep. I didn't want to ask for nothing either, what if they come in when I'm out, because those boys, they didn't care, who they got. I hated boys when I was young, the only one i didn't hate was my brothers. I don't think they gave us enough compensation, not for that. The training school was even worse. [#3-CEP]

We have learned from what they have shared about the difficult mental preparation needed to testify about what happened to them and the traumatic

memories of extreme violence that re-surfaced. We have learned too about the need for continuing healing once these memories came back into their lives, stories many had never shared with their own children. We find also that as children, they were not only victimized by the adults in their world but also by other children as lateral violence occurred in this imprisoning environment, promoting relationships of distrust. The "disturbing cataclysm of the processes" was the result of bringing this past alive in the present.

After the words are shared by the survivors they move around the circle to be hugged and congratulated by those that have gathered to hear their stories. The Lodge Director now moves to the South and explains the theme that will be shared in this direction.

**South: Bureaucracy of the Process**

Another common theme noted within the interviews was the bureaucracy of the process. This theme emerged from the difficulties that survivors shared regarding their experience with the Indian Residential School Resolution Canada office. The claims were sent to the Indian Residential School Resolution Canada office and shuffled through this government department. Although there was support made available to survivors they were triggered while filling out forms and in some cases, support people within communities assisted residential school survivors filling out their claim forms; for some there was no support or assistance. One has to keep in mind that the majority of residential school survivors had limited education and were fearful of people in positions of authority. Many did not understand the questions

contained within the application forms but were too afraid to call and ask for assistance.

The Lodge Director signals the first speaker to come to the Southern direction to share their experience.

> They just made us fill out papers, but you had to have your birth certificate, I.D. for sure and you had to have them ready by that date, filled out, that was running around trying to get that information and I couldn't remember what year that I went there because they ask you that, when you left and they didn't ask about how you were treated, they just asked about the information. It was hectic trying to get the information and paperwork done. [#3: CEP]

Another failure of the process was the requirement that survivors produce police reports, RCMP reports, and doctors' reports for the physical and sexual abuses claimed. Many Aboriginal people have no transportation and live in poverty; therefore, how were they supposed to travel around and gather the paperwork that was required to file their claims? In addition, many were afraid to talk to the police or the RCMP.

> It was difficult. Getting all the information to the RCMP, your lawyer, the Crown and then they reviewed it and then you had to go into the courtroom and present your case again, and it all has to be consistent. Fortunately we got copies of our statements, we had to remain consistent. [#1: Crt]

There was also a problem with missing government documents. Missing documents created an additional burden on those survivors because they had to find another survivor or staff person that could verify their attendance at the school and sign an affidavit stating such. This requirement was difficult because many survivors had died and many could not recall everyone who was at the residential school they attended. Many felt that the documentation required to file claims resulted in a cumbersome, rather than a user-friendly process.

> I got help with the papers from Mohawk Institute and I got other people to provide declarations for me, stating I was there, and I wrote letters for them

> too. I think they still owe me one year yet. I never got anything from September to December, that one school term. The second time I filed, there was some man that came down that was doing residential claims, he told us to fill out our papers and he said he would take them and about two weeks after that I got the cheque. I filed 3 times; I'm going to file for that one year yet. [#2: CEP]

Another issue survivors faced was the problem of school years versus calendar years. According to the criteria for making claims under the CEP process each survivor was guaranteed to be paid $10,000 for the first year they spent in a residential school plus $3,000 for each additional year. It further stated that the payment would be based on a school year, being September to June. For many survivors this created problems.

> After the compensation came in they released a list of Institutions and I found another one that I went to, I was there for 6 months, so, I gave my information over the telephone. I gave them all the information and they asked me, "why do you think you have 8 years, we only have you at 7?" I said well if you look at it, school years are different than calendar years, because I went in their school year, February to June for the first year, so if you total that up that way, I got 8 years.
>
> You got to look at it school years and not calendar years. I'm still waiting on that other one; they said they're reviewing the information. [#6: ADR]
>
> It seemed like it has a lot of red-tape, bureaucracy and a lot of things, specifics, and that was hard to do. You had to have your birth certificate, native status card and they didn't give me all my money. [#2: CEP]

There was also the problem of the destroyed Government documents. In these cases many residential school survivors could not be prove they attended a residential school during those school years.

> In the end they never made it easier for survivors to fill out the forms and get the information that was requested. After that, my thoughts on the process just dissipated. If you didn't know exactly when you were there or if you were in the period of time where they didn't have the records the Government had destroyed in the early 40's, then you received a letter requesting pictures or names, so the onus was on us to prove our attendance at residential school. Also, the older people, those are the records that were destroyed, the ones who

> are still alive in their 70s, late 70s, they had to do all this leg-work and they had never talked about it to their families so they couldn't help them; they called on us, the alumni, lawyers or social service workers. The process did not work good at all, the harder we worked the more frustrated we got. [#4: CEP]

Along with other bureaucratic problems there seemed to be confusion within the Claims office. One survivor explains this confusion here:

> We got a letter back saying that form wasn't the real form and later on they sent another form and said we have to fill that one out after they did ask for your files, they sent those. After that they sent another letter, it was kind of hard because they had different addresses and different people looking after each. I had to send letters locally, then somebody back east, it was a little bit mixed up. A letter would come back from somebody else or some other organization, but in the end it finally went and they wrote to me that I was accepted. [#5: CEP]

Several survivors made comments regarding the period when the ADR process changed to the IAP.

> The government kept changing from ADR to IAP. They shouldn't do that, you make a claim and you should keep it that way. [#7: ADR]

Another survivor commented about the cut-off date for making claims for compensation.

> Yeah, I thought there would be a little more information, because, I thought, my mother passed away in 2004, so I thought my mother and I, she was there all her childhood right until she was about 16, and I always thought she was just there when she was 10, but when we went to one of those conferences there was a picture of her and she looked like she was about 5 or 6. So, we thought we would get something for our mother, our family, but you can't get anything for her because she passed away 7 or 9 months too soon…she passed away in July, July 1st, and I think the cut-off, if she had passed away in May or something like that, maybe she passed away a few months too soon, I'm not sure. [#6: CEP]

There also appeared to be confusion about what constituted abuse. Some survivors who were abused by other students believed that certain physical abuses by other children should have been awarded damages.

> No, I wasn't really abused that way. I was abused by the children that were there, like they would use safety pins to poke us, like they're playing doctor and they would pick another kid that wasn't playing and they would use them for guinea pigs. I got poked in the arm from those pins a lot of times, they would pick me and drag me over there saying I had to get a hot, and they really poked me, they didn't just say pretend, it was for real and you got poked and that hurt. [#3: CEP]

Yet another survivor stated how the Western legal system failed to use sacred objects such as the pipe when talking to survivors.

> ... Our people are trying to find ways to deal with our own people, culture camps, and things like that. My experience with the white court is that we never do get what we deserve, it's always in their favour. They avoid talking with our pipe carriers and our spiritual leaders. They've never helped them in any matter whatsoever to help them psychologically, spiritually, culturally and all these ways. [#3: ADR]

Another survivor made a statement about having to remember everything that happened while at residential school because each incident would be used to determine the settlement offered.

> I think you need to talk to a lawyer more about the issues, try to get a little bit more in different areas and try to think of everything that happened. Don't leave out the little things [as they] always mean a lot in this kind of issue. I told my lawyer everything and she wrote everything down, I should have asked her for all that stuff back; that would have helped my story. I would recommend getting a breakdown of what you will receive and the lawyer's retainer fee. [#2: Crt]

The general feeling about the length of the process was that it was slow, regardless of the process that was used. While the CEP process was faster than others, it still took up to two years for some claims to be received. For those that filed ADR/IAP claims the wait took up to two years to set a hearing date for some. On the other hand, litigants that filed claims in courts had up to six years for their lawyer to file a claim and ten years for their claim to get to court.

Considering the length of time it took to reach a Settlement Agreement and the average age of a residential school survivor, any process taking over one year would be slow. Survivors were getting older and older by the day. Time was of the essence. For survivors that spent years and years in these institutions the amount of time it took to respond to their claim was frustrating. The majority of survivors were retired and living on fixed incomes so the wait for a lump sum payment of $10,000.00 + seemed like forever.

On the other hand, it should be said the CEP and ADR/IAP processes are a lot faster than a claim filed in the courts. As previously noted, before the first ADR process was developed by the Federal government all claims had to go through the normal court process which was an even longer and lengthy process.

> I waited six years for our first lawyer to do something, in the early 1990s and then used a different lawyer from Kamloops. [#3: Crt]

> The process itself took a long time to happen. There was a lot of reading. I think I had to wait about a year before the hearing. Once we had the hearing, there was another long waiting period. It was a long process. It was a long process and a lot of anxiety, especially with my family, they kept asking "when you going to get your money. I wasn't prepared for anything. [#4: ADR]

> It was slow, memories kept me up all night, trying to remember. We didn't see the lawyer that much, maybe once every six months. Felt like quitting the program and move on with my life but everyone was saying, "No, don't quit, you're going to get money, it will change your life." [#2: ADR]

Some survivors learned how to work the complex legal system inquiring about the compensation claims process as stated by this person:

> …I called them on the phone about four or five times. But since I was there for the one year, because I heard of people waiting, that they were there a long time. I really can't remember the time wise, but I do know I got the money before Christmas, in December. They start processing them in October and November, because I think we filed them out in September.

> I did ask for that where I can fill it out myself. I went with someone somebody who does have a claim, that you know, were badly treated and not treated right, and they went up to Law firm and I kind of made a short appointment and when the person talked to me she, she told me I didn't have a claim because it was part of the common experience. I also called the toll free number and I do have a form in the house, where I can fill it out myself, but on there it says "they would prefer the person talk to a lawyer." So I just said "oh well," because I already did. [6: CEP]

We have learned from the survivors about the bureaucratic process they encountered in trying to access justice for what they had experienced in residential schools. The bureaucratic world is one of papers, documents, legal procedures and regulations. Each survivor had to embark on a path that required them to come face-to-face with the bureaucracy of the colonial world that had produced the residential school system. Lost documents, legalese, unending delays, relying on advice from family and friends and acquiring lawyers were part of their journey through these bureaucratic processes.

As the speakers finish their stories they are also hugged and congratulated for sharing with those within the lodge. The Lodge Director now moves to the West and explains the theme of this direction.

**West: Fairness of the Process**

Another common thread of the interviews comprised remarks about the inadequacy of the compensation paid to them. Some felt it was not enough while others were surprised the federal government paid any money to survivors. Many stated the money they received could never pay for the abuses they received in residential schools. While they were happy they received some sort of payment they

felt no dollar amount could be placed upon the emotional, physical and sexual abuses they had experienced.

The Lodge Director once again signals the speakers to stand up and share their stories.

> We all got compensated at different levels. I feel ripped off, still unresolved, court wise and CEP, still a lot of unresolved issues there with the court and the whole system. [#1: Crt]

One survivor felt releasing the Church and the federal government from further lawsuits was not fair.

> At first I wasn't going to apply through the IAP. What made me decide was, we agreed to accept money from the government and the church for the abuses that happened to us; however, we had to agree not to sue the church or the government. I disagreed with that, but I'm going to opt in just for the money, as much as I'd hate to go back to all those memories. [#1: ADR]

Several other survivors stated they did not expect that closure would come with compensation; rather, what they expected was cash to help with their health and continued healing.

> Yes, I had quite a bit of expectations about the whole process. First and foremost I never became disillusioned, that money was going to be the thing that was going to heal me. They were going to provide me with cash to help pay for health and healing workshops. I wanted to apply for the Indian Residential School settlement agreement for compensation in the form of cash and resources to help me deal with some of those abuses and help me work towards future health care. 1: Cash. 2: health. [#1: ADR]

> I'm just glad they gave us the CEP money. I think they need to do more and they're not saying, "OK, here's your money, and this is what else we can do for you". I have to go looking. There needs to be more resources available and counsellors. I think they owe me more. [#1: CEP]

One survivor was disappointed about the different payments non-Aboriginal people received for the same type of abuses committed at non-Aboriginal residential school programs in Canada. These statements are based upon the settlement amounts

in granted in cases such as Mt. Cashel where thirty students received payment of $11.25 million in 1996 and the Brothers of Christian Schools case which settled for $23 million; with each student receiving between $2,500 and $107,944 per person.[389] The awarded amounts may be larger than the amounts received by residential school survivors; however, the two cases are different. The individuals in the Mount Cashel case settled their claims within the court system while the residential school case was negotiated by a team of class action lawyers, individually represented survivors and the AFN on behalf of all survivors.

> I feel better about it, I don't have to get scared about the process, because I was scared before it started, so I'm relieved it's over, but, I'm really disappointed that about the difference between our settlement and the white people.[#6: ADR]

> I don't think it was fair, not for those people that suffered T.B. and like when the kids ran away. I thought they put coal oil in my hair, but I don't know if it was that tar shampoo, but everybody says, yeah that was coal oil they put in your hair, then they chop your hair. So, I know it smelled like coal oil, so I could swear that it was coal oil. The boys were on that side, so my brothers were there, (names deleted by author) but we really didn't even know they were there because it would seem like every morning the girls were on this side, the boys were on that side and you just didn't even talk to each other. [#6: CEP]

While the frustration of survivors is understandable, those disagreeing with the settlement reached were able to opt-out of the agreement and continue their claim within the court system.

We have learned from the survivors that money is about a sense of justice. Compensation can be used to provide funds for their healing and for what their families need. They feel they were treated unfairly relative to other settlements of abuse suffered by non-Indigenous people. For them, there is unfinished business in terms of

[389] Religious Tolerance Organization, *"Sexual Abuse by Catholic Clergy,"* http://www.religioustolerance.org/clergy (accessed January 7, 2007).

compensation for what they suffered. At the same time, survivors generally agree that no amount of compensation can heal the pain that arises from their time in residential school.

As these speakers finish sharing their stories they are also hugged and congratulated by those within the lodge. The Lodge Director now moves to the North and explains the theme to be shared in this direction.

**North: It's Not Over**

A very important aspect of this dissertation was to examine the compensation processes utilized by residential school survivors and to determine whether the processes moved them towards reconciliation. As previously stated this research project focused on whether the compensation payments made to residential school survivors assisted them to reconcile with their residential school experience. Reconciliation of the residential school legacy is important to address because of the social problems that followed this federal government policy. As previously stated, it is believed that reconciliation of the residential school legacy begins with the survivors that experienced attending a residential school. Once survivors have reconciled with their residential school experience they are able to "bring their spirit to a place of peace" as stated by Maggie Hodgson. After studying this subject and listening to the voices of the survivors it has become clear that the processes made little difference within the reconciliation process. In fact many have stated the residential school legacy is not over.

The Lodge Director asks those wishing to share to come forward at this time and speak in the Northern direction. The first speaker begins by sharing these words:

> Like I said, from the question before, it's not over. They've opened something up, and they began something by opening up those old sores, and old wounds that they put there. I'm going to need help, my health is deteriorating, I have arthritis and numerous things, I have no one else to blame except the residential school. It affected everything in my life after that, how could I blame something else after that, everything was already affected. If that doesn't heal up, and if they don't do anything about it, I'm the sort of person that does do something about it, make it hard on them. I look like one person here, but I can reach a long way. Sometimes I thought about, while I'm sitting here, make one last big push on this whole thing. I know they're going downhill real fast, or getting weak, their God that they trusted so much is getting weak, and ours is getting stronger, or always has been strong. [#3: ADR]

The second speaker gets up and begins by sharing:

> I don't feel it's completed, because they trick you into accepting things that you don't really want. You don't have time to think about it and digest the information; I got a payment faster than people that have lawyers. [#9:ADR]

Another speaker gets up and shares this:

> …I expected some payment and closure, but that didn't happen, not the closure anyway. [#4: ADR]

Another survivor gets up to share the same sentiments:

> I feel that it's not really finished, they don't have answers, because they said children of the survivors would have access to some funds, or if they have a business plan of some sort and there doesn't seem to be any information out there…[#6: CEP]

It is clear from the statements made by survivors that even though they received compensation payments the turmoil created by their experiences in residential school has not ended. With the wounds re-opened by the compensation process it appears residential school survivors have realized that money did not provide closure of the past. Survivors now know much more is needed to bring this legacy to an end.

The next person stood up to talk about the mental health issues resulting from the trauma created by residential school. The person stated:

> Some people I know don't want to do it; they don't want to bring up all those memories. Since doing this, I get panic attacks sometimes, like 3 or 4 times in a day.
>
> He continues:
>
> I've seen a psychologist that kind of helped me a bit; somebody in this office recommended it. I'd like to go to those retreats, go into the bush and be with nature. [#2: ADR]

Another survivor talks about the compensation process:

> It makes me feel better that they acknowledged us and gave us some money, but it still bothers me; like losing culture and your Native language, that really hurts. [#2: CEP]

The statements made by these 6 survivors clearly reflect the reasons they believe the reconciliation process is not over. We have learned that for some, that their experiences of residential school and the compensation remain open wounds. Looking back to the comments made by survivors standing in each direction one with reminded of the magnitude of problems shared about the compensation processes. Although this is not surprising, having survivors making these claims testifies to the amount of healing required for the residential school legacy to be reconciled.

**Other Comments**

Several survivors had positive comments about the process and did not find it difficult. But this perspective appeared to be the exception. The Lodge Director asks those wishing to share anything else to come forward at this time and speak in the Northern direction. The first speaker shares:

> It was easy, we just got the forms, filled them out and sent them away…For myself, I think it was pretty straight-forward and the forms were short and to the point. It was just the waiting in between, getting letters back and sending something else. It was satisfactory I would say, I was able to do the forms myself. At first I thought they would be asking a lot of personal questions

about your experience that would decide how much money you would get. The form was very straight-forward; it wasn't what I was expecting. I expected a lot more forms. [#5: CEP]

Other speakers stand up to share additional information.

The CEP was fairly straight-forward and I encourage all former students to do that. [#7: ADR/CEP]

I have talked to the TRC for 2 hours at the Spanish Reunion and I have agreed with them they can use my story for educational purpose. A phone number was given to me to keep in touch and to let them know if I want to end the use of the story, I can. [#4: Crt]

I thought when I was over there, I walked up there, but said "no" there would be nothing but a river of tears coming out of there. I thought they would not understand me if I go tell my story because I was balling away. Then I thought I'm going to write it down, I think I can do better writing. [#1: CEP]

Several survivors stood up to speak about their thoughts about the potential value of the TRC process as it began its work. They offered these comments:

I think if they are sincere, it would return the integrity of the Crown and the governments, I think that would be part of it. It has to be sincere; it has to be measurable, kindly, fulfilling, complete, and effective; all those adjectives you use to describe integrity. Everybody has to be in it together. [#1: Crt]

It will educate the white man that the IRSs existed and those horrifying different kinds of abuse including sexual abuse happened in the schools operated by the Jesuits and Nuns under the command of the Canadian government. And as native people we don't want anything like the IRS system to ever take place again. In Canada, all people will rely on the TRC and understanding. [#5: ADR]

Yeah, I do see a value because I believe that our side of the story needs to get out there, what happened to us, where we were, what we weren't allowed to do, our language and our cultural activities and the breakup of families. People, the public, don't realize what it was and being in the school, having that family split. My brothers and I were in the same school, but I didn't see them, they were on the boy's side and I was on the girl's side, we were never ever close after that. He's gone now, he was telling me that I remember the first day we went there he said, him and my other brother, he said at least we had each other, he said if you didn't have anybody, the nuns were pulling your arms down the hallway, you were kicking and screaming. I didn't remember

> that, he was older. That was the beginning of the separation. I was there for 7 years; even in the summer time when you came home there was still that separation, because my mom and dad were separated, because they had no children at home to look after so they divorced. We never really had a home after that. All that stuff needs to be out there so people know and so they understand, we did go through it, no matter what they say, we went through and we lived through it, we're survivors. The least they can do is to give us that understanding that it did happen. [#5: CEP]

At the end of the interview survivors were asked if they had any additional comments they would like to make and the following excerpts provide some of the comments.

One survivor talked about acknowledging other survivors:

> For the three of us here, we've probably travel around to different bands and different places, we hear the words, always trying to get the province to recognize us, trying to get the feds to recognize us, let's get the people together and recognize each other. [#3: ADR]

Another talked about the importance of the Statement of Apology by Prime Minister Stephen Harper and the impact that it had upon survivors.

> I think that I was expecting the Apology not to mean much, but a lot of people did receive it, that was important. The Settlement Agreement was something that I never expected. In our community I think it has affected 3 or 4 generations. I see some things improving in our community but there is so much more wrong that it just seems impossible to fix. I would say the settlement agreement could look at different ways of spending the money that was given. Overall, it's probably something that should have come a long time ago. [#4: CEP]

The last speaker stood up and shared her concerns with the process.

> When they called us to sit on the working group, they were regional working groups; I went to one in Montreal. I thought they could have changed some things that we had suggested, we had a list of things we brought up and we sent it to Resolutions Canada, they never did one of them. I don't know what they did with that document, they never acknowledged it. In the end it would have made it easier for the survivor to fill out the forms and get the information that was requested. After that, my thoughts of the process just dissipated.[#4:CEP]

As the speakers finished their stories they are also hugged and congratulated for sharing with those within the lodge. Each of the four directions has been acknowledged and the residential school survivors gathered for the ceremony have been heard.

The spirit of the four directions has acknowledged the beautiful voices of the survivors. The Lodge Director ends the ceremony by thanking everyone gathered for this special occasion and wishes the best of those sharing their continued healing journey. He reassures each survivor the words shared as they stood in the four directions have been acknowledged by the Universe and by the Creator.

The Lodge Director sounds the Waterdrum four times to officially mark the end of the ceremony.

## 6.2 The Voices Spoke Loud and Clear

The first thought that came to mind in hearing the words shared by the survivors was that the voices spoke loud and clear. The words are important because they assist in identifying where survivors currently situate themselves within the healing and reconciliation process. As indicated, the majority of the data collected was harmful in nature telling of triggered memories and re-victimization. But, the most profound statement made was, ***"it's not over."*** This statement speaks volumes to the question posed in this study by answering: No, the compensation processes did not assist residential school survivors to move towards reconciliation.

With this new information, the question now becomes why did the compensation payments not move survivors towards reconciliation? In the following sections an examination of reconciliation of the residential school legacy will be

undertaken to appreciate the complexity of the issue and why reconciliation did not follow reparation.

To provide additional context to the discussion of reconciliation it has been divided into two parts: individual reconciliation referring to residential school survivors and societal reconciliation referring to the broader Aboriginal and/or Canadian society. By separating the discussion it is hoped that the complexity of the issue will be easier to understand.

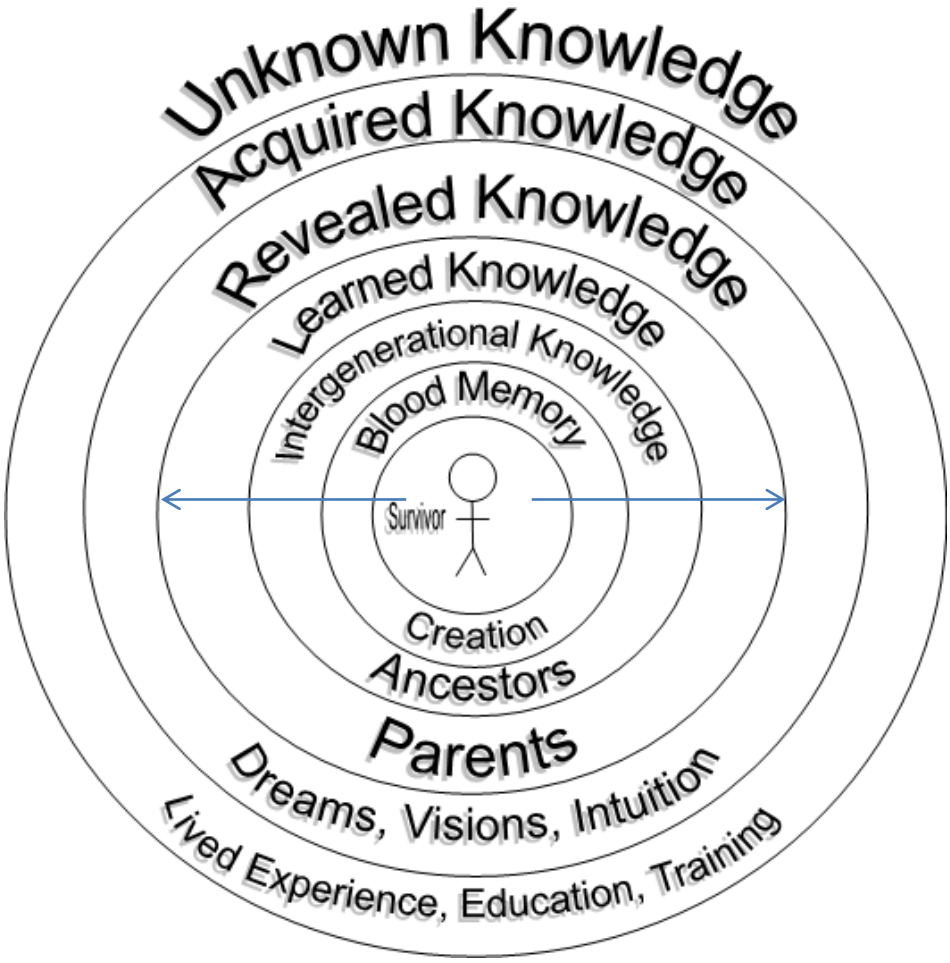
**Individual Reconciliation and the Residential School Legacy**

Every Aboriginal child taken from their family and sent to residential school suffered loss and trauma. Those who suffered physical and sexual abuse were compensated by the ADR or IAP processes. However, the processes did not compensate for all losses that were suffered in residential schools. For example, children were stripped of their pride, love, affection, language, culture, traditions, family, community and Nation. Sadly, these types of losses were not part of the compensation payment packages even though they cut to the core of Aboriginal identity. The loss of language and culture was lumped into the CEP which paid survivors using the 10 + 3 formula.

Consequently, survivors grew up ashamed of their culture and traditions, refrained from using their language, were disconnected from their family and communities, unable to illustrate love or affection and lacked parenting skills. The effect of these childhood losses makes individual reconciliation a difficult task for survivors to achieve.

To assist in explaining the complexity of the individual reconciliation process and how its overlaps with societal reconciliation several diagrams used earlier in this dissertation will be re-introduced here. The first diagram is the *Layers of Knowledge* wheel from Chapter 3.

**Figure 7: Child's Layers of Knowledge upon Entering Residential School**



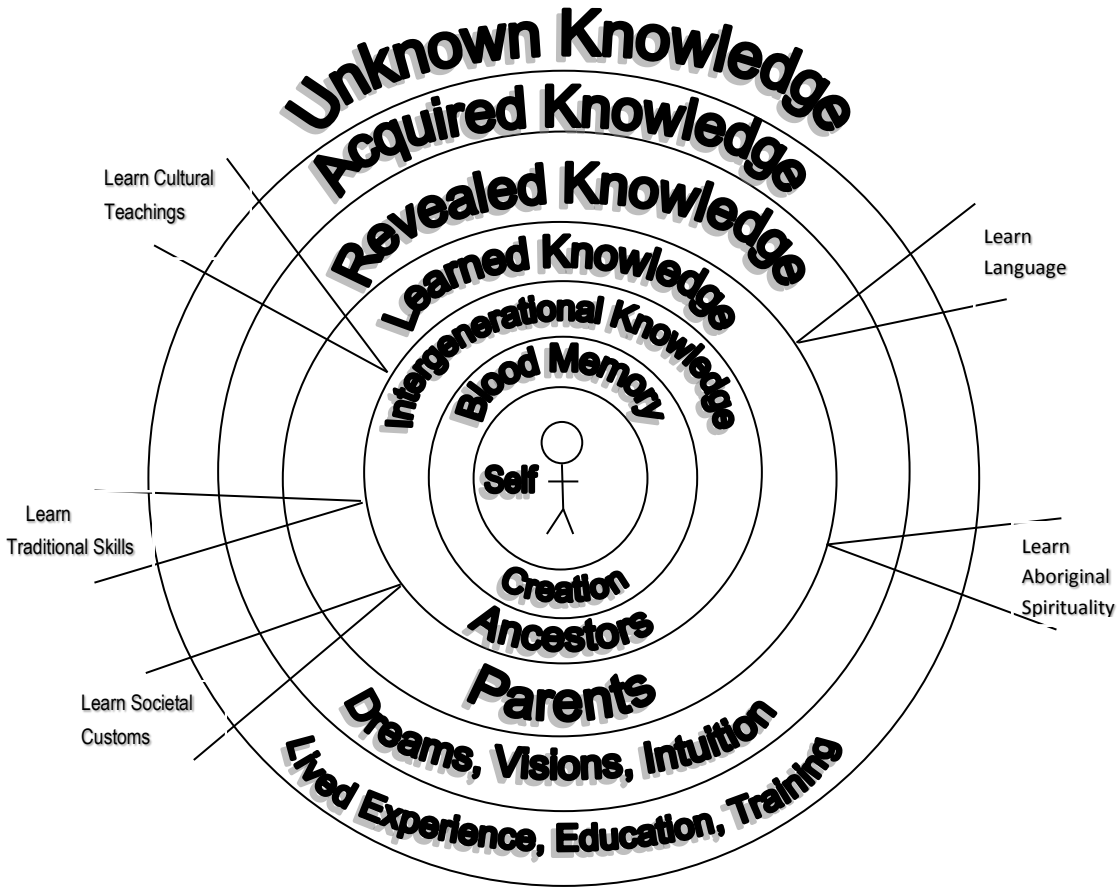

In the centre of this diagram *self* is situated as the core of the wheel. Working outward from self the continuum flows to blood memory, intergenerational knowledge and learned knowledge, revealed knowledge and so forth. Every child inherits the blood memory and intergenerational knowledge of their descendants

which comprise the historic memories of the past. A substantial portion of blood memory and intergenerational knowledge transferred from parents, grandparents and ancestors includes disparaging stories of encounters with settlers, such as, broken treaties, disease infested blankets, massacres, battles, starvation, removal and stolen children. These horrific memories transmitted to subsequent generations play a huge part in the resolution of the residential school legacy for the memories live within the blood of Aboriginal people. This is the place where individual reconciliation overlaps with societal reconciliation; both contain the blood memory and intergenerational knowledge of the past – as individual survivors and collectively as a society.

When a child is born they are socialized and taught by the parent/caregiver; this knowledge is referred to as learned knowledge. Therefore, when a child is sent to residential school they carry the knowledge of their parents (learned), grandparents (intergenerational) and ancestors (blood memory) with them.

The next diagram to be utilized is the *Piercing of the Layers of Knowledge* wheel introduced in Chapter 3. This diagram represents the knowledge of an Aboriginal child whom attended a residential school. Upon leaving the residential school the child has inherited additional learned knowledge while also acquiring new knowledge instilled by various means while attending residential school. The diagram also illustrates various factors that caused damage to Aboriginal people including, but not limited to, language, spirituality, family, education and culture. As part of the learned knowledge, survivors were taught their customs and culture was pagan; their languages were uncivilized and that they were savages. The attacks on their Aboriginal identity and culture were embedded into their learned knowledge.

**Figure 8: Replacing the Disrupted Layers of Knowledge**




As the child matured into an adult they carried the learned and acquired knowledge plus the disruptive new knowledge with them throughout their lives. The assaults on their original teachings (learned knowledge) caused a significant gap in the child's cultural identity. The disruption of knowledge, represented by the arrowheads piercing the layers of knowledge, created a break in the transmission of traditional and cultural knowledge from parents and grandparents to the younger generation. This interruption caused many young people to be confused about their Aboriginal identity. As a result many second generation survivors grew up not

knowing or learning very little about their culture and language. The importance of culture and language cannot be understated for these are fundamental components of maintaining a distinct Aboriginal identity for the next seven generations. Subsequently, this is one of the many reasons why reconciliation of the residential school legacy is such a complex issue.

While this study found that the processes did not move survivors towards reconciliation it cannot be forgotten that some survivors demonstrating courageous resiliency have moved on and reconciled with their residential school experience. Survivors such as respected Anishinabe Elder and former residential school survivor Fred Kelly have stated publicly they have reconciled with their residential school experience. In the following excerpt, Kelly shares how he resolved his residential school experience using culture and tradition:

> Personal reconciliation is making peace with one's own self and reclaiming one's identity. Through the kindness of the Creator, I am at peace with myself. I have returned to Midewiwin, the principal spirituality of the Anishinaabe. I have come to understand and respect the interconnectedness of all life, and I am very happy with my place in Creation, humble as it is. Mine are the gifts of life, so sacredly conferred upon my ancestors by the Creator. Through this spirituality, mine also are the experiences that have rendered insights into life's eternal questions: whence, what, whither and why.
>
> I am contentedly reconciled to traditional spirituality as my living philosophy. Now, mine is an unconditional wish to reach out and help people on the basis of my culture and traditional ways. I have received the honour of being referred to as an Elder, of custodian of traditions, customs, laws and spirituality. May I be forever worthy of those who wish to claim the traditional teachings that are theirs through me and other Elders. May I continue to be deserving of the privilege of receiving youth who seek strength, courage, and enlightenment through my ceremonies. Having nothing to teach you but much to share, I reach out to you also and the other players in the legacy of the residential schools.
>
> A government founded on peace, order, and good government and yet responsible for inflicting the horror of the residential school system is one that I am prepared to meet with to discuss the rule of law that includes

> enforcement of Aboriginal rights and treaties as the basis for a reconciled future. A church that validated the ruthless superiority complex of European monarchs to persecute Indigenous people, steal their land, and overrun their cultures by condemning them as ways of the devil is one I am also prepared to discuss reconciliation with. My willingness to do this is based on having sincere regard for the seven traditional laws of Creation. A clergy abiding a faith founded on the teachings of Christ, who so loved the purity and innocence of children are men and women I am prepared to meet in my community to discuss reconciliation. And should they believe in hell, may they be spared. Yes, Father, I am prepared.
>
> In ultimate personal affirmation, it was not God that hurt generations of innocent children, but the human beings in the Churches who undertook to deliver Christianity and inflicted the sorrow in His name. It is not my right or prerogative to forgive what was done to my brothers, my sisters, and my dearest friends as they must speak for themselves and, unfortunately, many of them are now dead. Nevertheless, I dedicate this statement of reconciliation to their memory. I can speak for myself, Father. I am happy that my ancestors saw fit to bring their sacred beliefs underground when they were banned and persecuted. Because of them and the Creator, the ways of my people are alive and in time I have found my answers.
>
> I gratefully proclaim that I am a dedicated adherent of traditional spirituality of the Anishinaabe. I am a born again pagan.[390]

The exact number of survivors who have reconciled with their residential school experience is unknown. What has been learned in this study is that none of the survivors stated the processes (Litigation, ADR, IAP or CEP) led them to reconciliation. This is not to say that those interviewed were not able to live a quality life. In fact, many did. They learned to cope with their childhood trauma and live the best life they could.

When speaking of individual reconciliation it is important to reference the huge contribution the TRC made to assisting residential school survivors to reconcile with their past. According to Chief Commissioner Sinclair the Commission travelled

[390]Fred Kelly, "Confession of a Born Again Pagan," in *From Truth to Reconciliation: Transforming the Legacy of Residential Schools* ed. Marlene Brant Castellano, Linda Archibald and Mike Degagné (Ottawa: Aboriginal Healing Foundation, 2008), 38.

to 300 communities across Canada and collected 7,000[391] stories from residential school survivors within a six year timeframe. These numbers indicate the numbers that are beginning or continuing a healing journey. Although a large number of survivors have had their stories recorded many still have not. Sharing and re-living the residential school experience turned out to be a painful experience for survivors. Notwithstanding the pain that re-telling a survivor's story engenders, survivors must be encouraged to share their story, not just for the sake of public record but for their personal healing and journey to reconciliation.

The Commission recognized the importance of healing from the aftermath of residential school by issuing a call to action specifically for this purpose. Healing from the aftermath of the residential school legacy did not end with the survivors but extended to others as stated here:

> The Survivors are not the only ones who lives have been disrupted and scarred by the residential schools. The legacy has profoundly affected the Survivors; partners, their children, their grandchildren, their extended families and their communities.[392]

The Commission further stated:

> Together, Canadians must do more than just talk about reconciliation; we must Learn how to practise reconciliation in our everyday lives – within ourselves and our families, and in our communities, governments, places of worship, schools, and workplaces. To do so constructively, Canadian must remain committed to the ongoing work of establishing and maintaining respectful relationships.[393]

In summary, for residential school survivors to reach reconciliation they must continue their healing journey and begin recreating productive relationships with their partners, children, grandchildren, extended families, community and other Canadian

[391] National Post, Canada, Truth and Reconciliation Report, "Reaching Out to People," June 3, 2015.
[392] Truth and Reconciliation Commission of Canada, *Principles of the Truth and Reconciliation Commission* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), 103.
[393] Ibid, 126.

citizens. The road to reconciliation may be long and filled with uncertainty, but it is a journey that must continue for all citizens of Canada.

**Societal Reconciliation and the Residential School Legacy**

The first question to be asked in this section is what is meant by societal reconciliation? And the second question is how does societal reconciliation fit into the conversation of residential school survivors reconciling with their residential school experience?

Firstly, societal reconciliation looks at the question of resolution with a broader lens. Consequently, the question is expanded to include collective perspectives such as the impacts of Indian policies of colonization and assimilation upon Aboriginal people and Canadian society, the relationship with settlers, the history of Aboriginal people in Canada and the current state of relationships.

The AHF states reconciliation in settler societies like Canada is an optimistic but vague aspiration, one that most broadly connotes improved relations between Aboriginal and non-Aboriginal people.[394] Although reconciliation may seem vague to most Canadians the same does not hold true for Aboriginal people. The original peoples of this land know this term encompasses all that was wrongfully taken from them since the arrival of the settlers.

The education policy which forced children to attend residential school was just one of the many orchestrated attempts to "civilize" and assimilate Aboriginal people in Canada. This policy had devastating impacts upon Aboriginal people which extend to the fundamental essence of Aboriginal identity – the language and culture.

[394] Aboriginal Healing Foundation, *Cultivating Canada: Reconciliation through the Lens of Cultural Diversity* (Ottawa: Aboriginal Healing Foundation, 2011), 329.

It is because of these unrelenting assaults on Aboriginal people that many feel reconciliation goes beyond compensation payments of the residential school era.

While some may argue the historic past is separate from the residential school legacy, the two cannot be separated. The reason is simple; the federal government's goal to assimilate Aboriginal people did not begin with the education policy. It included removal of Aboriginal peoples from our traditional territories, attacks on Aboriginal autonomy and sovereignty, destruction of economies, and suppression of spiritual practices. Therefore, talks about reconciliation should not be framed simply by residential schools but must be inclusive of all wrongs committed since contact. For Aboriginal people this necessitates a comprehensive approach to reconciliation.

A comprehensive approach is reflected in the TRC Summary Report which states:

> In the face of growing conflicts over lands, resources, and economic development, the scope of reconciliation must extend beyond residential schools to encompass all aspects of Aboriginal and non-Aboriginal relations and connections to the land.[395]

In addition to the comprehensive approach the Summary Report highlighted the need to rebuild trust between the parties in the following excerpt:

> The most significant damage is to the trust that has been broken between the Crown and Aboriginal peoples. That broken trust must be repaired. The vision that led to that breach in trust must be replaced with a new vision for Canada, one that fully embraces Aboriginal peoples' right to self-determination within, and in partnership with, a viable Canadian sovereignty. If Canadians fail to find that vision, than Canada will not resolve long-standing conflicts between the Crown and Aboriginal peoples over Treaty and Aboriginal rights, lands, and resources, or the education, health, and well-being of Aboriginal peoples.[396]

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[395] Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling the Future. Summary of the Final Report of the TRC* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), 246.
[396] Ibid, 240.

One important detail to consider when pondering these issues is the complexity of the work involved with righting the wrongs of the past. The list of wrongdoings is long. Therefore, to move forward successfully the reconciliation process must include collective decision making and a strategic plan to move the parties together towards a common goal. Anything short of respectful Nation-to-Nation dialogue will be meaningless.

The Commission further noted the relationship between the federal government and Aboriginal peoples is quickly deteriorating and instead of moving towards reconciliation the conflict between the parties widens.[397] If the gap continues to widen the prospect of reconciliation will dissipate. The federal government must take action. Without action the gestures made by the federal government to date will be mean little to Aboriginal people.

Aboriginal people have demonstrated time and time again their willingness to sit down and talk renewed relationships with the federal government. This sentiment was captured by the TRC spoken by residential school survivor Eugene Arcand:

> [W]e as First Nations, Métis, and Inuit people, especially residential school Survivors, want to reconcile. We really, really want to. But it's difficult when we see and feel and read what's coming out of the House, provincially, federally, in regards to our well-being. First, with the cuts to the Aboriginal Healing Foundation and other cuts that have happened in regards to education, in regards to our livelihood.[398]

After centuries of mistreatment by the federal government Aboriginal people are still adamant that the way forward is through reconciliation. In the wake of the TRC Summary Report and the widespread media coverage it gathered the federal government

[397] Truth and Reconciliation Commission of Canada, *Principles of the Truth and Reconciliation Commission* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), 114.
[398] Ibid,

must respond in a fair and just manner. They must consider the need for real social, political and economic change.[399] The time for change is upon us.

[399] Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling the Future. Summary of the Final Report of the TRC* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), 240.

# Chapter 7.0 Voices within the Waterdrum Spoke to Me: Moving Generations Forward

It has been a long journey filled with many trials and tribulations, but this journey of listening and learning from residential school survivors has come to an end. A Closing Ceremony in an Anishinabe gathering marks the official end of the event. The metaphor of the Closing Ceremony will be used to end this dissertation, for it too has come to an end.

Customarily a Closing Ceremony consists of four parts; firstly, an introduction to announce why the gathering has been called; secondly, parting thoughts and thanks to those gathered to witness the ceremony is offered; thirdly, a Giveaway Ceremony takes place; and lastly, a travelling song is sung asking the Creator for a safe journey for all those that travelled to witness the event. Like the Closing Ceremony, this chapter will be divided into four sections. The first section will provide a summary of the findings of this study; the second section offers a message to the younger generation; the third section will include the Giveaway Ceremony and the last section will end with a travelling song to honour the residential school survivors.

## 7.1 Findings of this Study

Since the closing of the last residential school in Canada thousands of heart wrenching stories of abuse and mistreatment have been told by survivors. Some of those stories were captured in this dissertation. Others were recorded by the Legacy of Hope Foundation,[400] the AHF and the TRC of Canada. Throughout this study the primary focus was upon the experiences of residential school survivors with the

[400] The Legacy of Hope was established to support healing initiatives for Aboriginal people affected by the legacy of physical and sexual abuse suffered within the Canadian residential school system.

compensation processes utilized for reparation of their experience coupled with determining whether the processes assisted to reconcile their experience. The findings of this study are highlighted below.

## A. Reconciliation

From the interviews conducted it is obvious reconciliation did not follow the compensation payments made to residential school survivors. To the contrary, many stated they were re-victimized by the compensation processes by simply having to recall events such as the dates they attended a school. For those that never or rarely ever spoke about this time in their life, the experience of being taken back to these painful memories for the first time was equally or more devastating. It was surprising to learn that survivors were traumatized by the CEP process even though there were no prerequisites of physical or sexual abuse attached to this application process. These findings illustrate the sensitivity of the topic and how the slightest reference to residential schools causes anxiety and distress within survivors. This research confirms the results of a 2010 AHF study that stated, 30% of CEP recipients reported negative emotions or traumatic flashbacks[401] while others felt re-victimized by the ADR process.[402] The same sentiment was expressed for every process; CEP, ADR, IAP and litigation. Regardless of the process survivors had to *re-live* their residential school experience.

Another finding identified two types of reconciliation – individual and societal. Individual reconciliation refers to the residential school survivors personally.

[401] Ibid, xiv.
[402] Ibid, 95.

And societal reconciliation refers to reconciliation between Aboriginal peoples and the Canadian state.

**Individual and Societal Reconciliation**

When survivors were asked about reconciliation of the residential school legacy many survivors stated ***"it's not over.***" Although they did not state specifically why they felt the legacy was not over their statements about the processes told the story. The problems encountered with the processes, included but were not limited to, amount of compensation payments, feelings of re-victimization or righting the wrongs of the past. Although these issues appear straightforward a closer analysis reveals they are superficial wounds connected to a deep-rooted problem.

If we look closely at the concerns identified and search for the root of the problem we are taken back to the layers of knowledge that each person possesses. For example, using the compensation payments, this issue goes back to the pain and suffering the person was subjected to within a residential school, which impacted their learned and acquired knowledge. In this case the survivor is asking for reparation for the harms suffered to their learned and acquired knowledge which was disrupted.

In another example, looking at righting the wrongs of the past, such as broken treaties, this issue goes back to the blood memory and intergenerational knowledge transmitted from their grandparents and ancestors onto them. In this example Aboriginal people as a collective want reparation for the harms to their collective society which are stored in their blood memory and intergenerational knowledge.

As one can see resolution of the residential school legacy requires a two-pronged approach; one to deal with individual reconciliation and the other to deal

with societal reconciliation. Survivors need to be able to continue healing from their residential school experiences while Aboriginal people as a collective need to mend their relationship with the federal government and Canadian society.

According to Commissioner Wilson the summary of the Final TRC Report contains 94 calls to action.[403] The 94 calls to action are divided into two (2) segments: residential school legacy and reconciliation.[404] Within these calls for action the recommendations falling under the heading of Legacy include: child welfare, education, language and culture, health, justice.[405] Under the heading of Reconciliation the following subtitles are included: Canadian governments and the United Nations Declaration on the Rights of Indigenous People, Royal Proclamation and Covenant of Reconciliation, Settlement Agreement parties and the United Nations Declaration on the Rights of Indigenous Peoples, equity for Aboriginal people in the justice system, National Council for Reconciliation, Professional Development and training for Public Servants, Church apologies and reconciliation, education for reconciliation, youth programs, museums and archives, missing children and burial information, National Centre for Truth and Reconciliation, commemoration, media and reconciliation, sports and reconciliation, business and reconciliation and newcomers to Canada.[406] The calls to action cover numerous areas and call upon various segments of Canadian society to take action. For example in recommendation twenty-eight (28) states:

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[403] Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling the Future. Summary of the Final Report of the TRC* (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).
[404] Marie Wilson, "Closing the Gap" [presentation at the Assembly of First Nations 36th Annual General Assembly, Montreal, Quebec, July 7, 2015].
[405] Truth and Reconciliation Commission of Canada, *Calls to Action* (Truth and Reconciliation Commission: Ottawa, 2015), 8.
[406] Ibid.

> We call upon law schools in Canada to require all law students to take a course in Aboriginal and the law, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in the intercultural competency, conflict resolution, human rights, and anti-racism.[407]

Another example of how the TRC called upon various segments of Canadian society can be found in recommendation seventy-one (71) states:

> We call upon all chief coroners and provincial vital statistics agencies that have not provided to the Truth and Reconciliation Commission of Canada their records on the deaths of Aboriginal children in the care of residential school authorities to make these documents available to the Nation Centre for Truth and Reconciliation.[408]

These two examples illustrate the extent of the calls to action included within the TRC Summary Report. The summary report reflects the diverse views of the residential school survivors and clearly illustrates the legacy is not over. There is a massive amount of work that has to completed to salvage relationships between Aboriginal and non-Aboriginal people of Canada.

Aboriginal people have started the work towards reconciliation by healing the scars of the past. As they heal individually, their communities and societies will also heal. Unfortunately, if reconciliation of the residential school legacy is not over until every living survivor is healed; this could take a very long time. Further, if every intergenerational family member must heal from the aftermath of the residential school era, this also means reconciliation will not occur for at least another century. However long reconciliation may take the work to transform this society into a flourishing and vibrant country where all Canadians reap the benefits of this land is crucial to the next seven (7) generations.

[407] Ibid, 7.
[408] Ibid, 12.

## B. Continued Healing for Residential School Survivors

Another important finding from this dissertation is the need for continued healing programs for survivors. It was obvious from the interview process most of the survivors interviewed were negatively impacted by the compensation processes. That is not to say that all survivors are in need of immediate healing, but they need to be able to move themselves closer to that *place of peace* where the trauma they suffered in residential school does not hold them hostage to the past.

This study has illustrated that moving from healing to reconciliation is a challenging process and not something that comes automatically upon receipt of compensation payments. Healing from childhood trauma takes time and perhaps even a lifetime. Regardless of the time it takes every living survivor deserves to feel a *place of peace* within them. With the support of relatives, family members, communities and society every living survivor can heal and reconcile with their residential school experience. Unfortunately this may never happen unless communities are guaranteed additional funding to continue healing initiatives.

This leads to another issue; not all survivors have been able to tell their story. The TRC was not able to reach every living survivor and so not all survivors were able to tell their story. On several occasions I was able to view the public hearings on web-cast. Watching the hearings it became apparent how important it was for survivors to tell their story. Most stories were accompanied by tears illustrating the pain these memories still cause survivors. Continued funding for healing programs would ensure these survivors are not left out of the healing and reconciliation process.

The TRC Summary Report recommended the continued funding of healing centres to address the harms created by residential schools.[409] If the federal government acts upon this recommendation it would ensure all living survivors would have the opportunity to tell their story. It would also ensure survivors receive the support services needed for their healing journey.

## C. Healing of Intergenerational Family Members

Another finding from this study shows that intergenerational trauma continues to be passed onto subsequent generations. Survivors interviewed stated they did not want their children or grandchildren to have the same experience they had. These heartfelt statements reflect not only their concern for their family members but also for future generations. Even though residential schools may never appear in Canada again the connotations of this era are certainly still prevalent in Aboriginal communities within the child welfare system.

Aboriginal children that attended residential schools were raised within a cold and harsh environment, and much of the human interaction they learned in these schools was then passed onto their children. As a result the children and grandchildren of residential school survivors did not receive the love, bonding and proper nurturing as children. This impediment has impacted their ability to parent effectively causing many children to be taken away from their parents by the Children's Aid Society.

It has become painfully clear how important healing of the residential school legacy is not only for that attended residential schools but also for future generations.

[409] Ibid, 7.

The extent of intergenerational trauma is evident within the destructive social problems within Aboriginal communities across Canada. These problems are not only contained within the child welfare system but also flow outward into the criminal justice system, family court system and other spaces within Aboriginal communities. There is an urgent need to intervene and stop the dysfunctional social behaviours prevalent in Aboriginal communities and replace them with healthy lifestyle programs. By replacing the pierced layers of knowledge with new knowledge such as the seven grandfather teachings, language, culture and traditions the next seven generations will be promised a healthier community in which to reside.

### D. A Culturally Appropriate Process

Another finding within this study pointed to the ill-design of the compensation processes. Instead of moving towards reconciliation survivors using the compensation processes took a step backward in their healing journey. The thought of being re-victimized by a compensation process developed within a western mode, raised the question: if Anishinabe cultural and traditional practices were utilized for the compensation processes would the users have been re-victimized? Reflecting upon this question it was realized that re-living trauma regardless of where the healing takes place is difficult. And further that healing requires going through the various stages of the healing process, acknowledging and accepting the abuse, grieving and mourning, anger, forgiveness and resolution. So, re-living the past is inevitable in any healing journey whether it be a western or an Aboriginal process.

Nevertheless, what could have made a difference were the practices and support systems utilized within the process. For example, the adjudication process

could have been designed in a more culturally appropriate manner. One possible process would include the usage of a traditional Anishinabe methodology such as a sweat lodge ceremony or a teaching lodge. A place that is safe, familiar and culturally appropriate for the users. Using ceremony as a culturally appropriate process for speaking one's truth is only one methodology. A word of caution before utilizing this process; one must be cognizant of the spiritual practices and belief systems of those utilizing the process, therefore, using a sweatlodge and teaching lodge may not be a viable option for all survivors. This alternative of using an Anishinabe ceremonial practice comes from my positionality as an Anishinabe Kwe that believes in the teachings of the Midewiwin Lodge.

Being in a traditional setting using traditional practices would make the individual feel safe and comfortable in a familiar location. Survivors could also have individuals in their support group sitting with them. Further, by using the sweat lodge, the survivor would be talking to the Grandfathers[410] (rocks) placed in the centre fire. They would be accountable to the Grandfathers (rocks) and the spirits from the four directions that would be called upon to assist with the ceremony. Those witnessing the ceremony would verify the words that were spoken. An Elder or traditional person would be the person conducting the ceremony and their helper would be responsible for the technicalities and administration of the process. Anishinabe have the highest regard for their sacred teachings, ceremonies and the spirit world; therefore, testimony made within these surroundings would be coming from the heart and is the truth as known to the individual.

This example has only been given preliminary thought and is perhaps a subject to be written and examined more closely in another study. However, it

[410] Grandfathers are capitalized in this dissertation to signify the importance of rocks to the Anishinabe.

deserves discussion in this dissertation to illustrate a different approach that could have been used instead a western framed process.

## E. The Truth and Reconciliation Commission of Canada

One of the positive findings of this study focused upon the TRC. Survivors stated the TRC would be valuable within the reconciliation process because Canadians would be educated about the true history of the residential school legacy.

During its mandate the TRC collected thousands of stories from residential school survivors over the past six years. The work of compiling survivors' statements complemented the previous work undertaken by the AHF. For those able to share their stories with the TRC or the AHF, their healing work has begun. Despite some controversy over whether survivor testimonies should be destroyed, this information is destined to be stored in the National Research Centre for Truth and Reconciliation and will be available for those to learn about the truth of the Residential School Legacy.

While the TRC held national gatherings and commemoration events across various location in Canada there is still much more work to be completed. One has to wonder what will happen with the reconciliation work that has begun. Who will continue this work once the TRC is decommissioned? Will the National Research Centre be adequately funded to monitor the implementation of the calls to action contained within the final report? Or will the report sit on a shelf in Ottawa and gather dust?

The TRC final report was released on June 13, 2015. The report contains 6 volumes of materials gathered over the course of the TRCs work. The final report included94 calls to action and a thorough dialogue on a wide range of topics such as

education, child welfare and healing. The report also included statements and testimonies made by survivors from across Canada.

The Final Gathering of the TRC was a huge success. The gathering began with a Reconciliation march from Gatineau, Quebec to Civil Hall in downtown Ottawa. The event was held for three (3) days and was attended by thousands of people both Aboriginal and non-Aboriginal.[411] On the day the Summary Report was released, survivors and intergenerational family members filled the hall to capacity to hear the words shared by the Commissioners firsthand. As each Commissioner shared parts of the report the audience was overflowing with emotion and many tears were shed. This was the first time in history a commissioned report labelled the injustice committed against Aboriginal peoples in Canada as "cultural genocide." From an Anishinabe Kwe perspective, the TRC Summary Report was a heroic gesture that many Aboriginal people in Canada have waited years to see unfold. It was a historic moment in the history of Aboriginal people.

A day after the TRC summary report was released on June 13, 2016 the National Post criticized Chief Justice Beverly McLachlin of the Supreme Court of Canada when she described the history of Natives in Canada as "cultural genocide" labelling her actions as biased.[412] Regardless of the connotations attached to the words spoken by Chief Justice McLachlin these powerful words – cultural genocide, hit the headlines of every major newspaper.. Surprisingly, even though the report came to such damning conclusions the federal government under the watch of then Prime Minister Stephen Harper made very little attempt to respond. The only response was that they would wait until all volumes of the final report are released to respond to the

[411] The description of this event are memories what I personally experienced as a delegate to the Final TRC Gathering held in Ottawa, Ontario from May 31 to June 3, 2015.
[412] Gordon Gibson, "The Chief Justice and Her Biases," *National Post*, Wednesday, June 10, 2015.

report. With the defeat of the Conservative Government in October, 2015, the new Liberal Government stated its commitment to act upon the TRC calls to action. The Truth and Reconciliation Commission presented its final report on December 15th, a week following the Liberal Government's announcement of a national inquiry into the murdered and missing Indigenous women, one of the 94 calls to action.

For now, one can only speculate whether the TRC's impact will parallel those of other TRCs in countries around the world. The TRC in Canada is similar to the South African model mandate to collect stories from victims of gross human rights violations.[413] In South Africa the TRC was developed to address apartheid and the devastation plaguing that country for years. Thousands testified saying they felt the weight of their experiences lifted off their shoulders after making their statement to the Commission.[414] Similarly the Aboriginal people of Australia were happy that the citizens of Australia came out in droves to participate in the National Sorry Day that honoured them and their contributions to society.[415]

The successes of various TRCs confirm they can be effective tools assisting countries to move beyond the travesties of the past and toward reconciliation. Reading success stories such as these provides one with a sense of renewed inspiration and hope that perhaps someday, Canada will share a comparable history of reconciliation for both Aboriginal and non-Aboriginal alike.

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[413] James L. Gibson, "The Contributions of Truth to Reconciliation. Lessons from South Africa," in *Journal of Conflict Resolution*, 50 (3), June 2006, 409-432 at 413.
[414] Desmond Tutu, *Truth and Reconciliation Commission of South Africa*. (Cape Town: The Commission, 1998): 352.
[415] Aboriginal Legal Services of Western Australia, Inc. *Telling Our Story: A report by the Aboriginal Legal Services of Western Australia (Inc.) on the removal of Aboriginal children from their families in Western Australia*, 1995, 4.

## 7.2 A Message to the Younger Generation – It's Not Over

As residential school survivors and their children and grandchildren pick up the fragments of culture left by the trail the younger generation must be encouraged to join the healing and reconciliation movement. They must be taught about historic trauma, inter-generational trauma and the residential school legacy. They must be educated about the harm the legacy has created within Aboriginal knowledge systems. But, telling the story of pain and suffering of the residential school legacy cannot happen in a vacuum. The stories must be told with the intent of finding solutions to the social problems rather than enticing further anger and hostility.

The teachings tell us life is sacred and each child born is a gift from the Creator. When a child comes into this world as a spiritual being with a pre-determined destiny, the destiny of that child reflects a *place of peace*. This pure life form is not meant to be thrust into a life of dysfunction. An Aboriginal child should have the same opportunities as every other child born in Canada. Therefore, the younger generation must shift their focus on what is best for the unborn and move forward beyond helplessness and dependency. The young people have to look to the Seven Grandfather teachings for guidance and work to change the devastating conditions currently existing within Aboriginal communities.

The Anishinabe teachings taught us how to live in peace and harmony with all of Creation. The younger people have to be mindful of the teachings when negotiating with the federal government; walk gently on Mother Earth and utilize their voices to speak loud and clear about the importance of reconciling the past using the wisdom of the ancestors to guide them.

The young people have to be reminded that the culture and traditions within Aboriginal communities still exist. They must seek the Indigenous knowledge

holders and ask for the teachings. They must not fear the Elders – they are still here and waiting. Elders may have fallen asleep but they can be awakened. The time has come to locate, learn and carry this sacred knowledge for the next generation.

Many of the Indigenous knowledge holders are residential school survivors or the New People. In their elderly wisdom they can re-tell their story to their children and grandchildren so they never forget. Those that remember can teach the language, the Waterdrum songs and the ceremonies. Those survivors who have forgotten the teachings can re-learn. Those survivors who are now Elders must be given the opportunity to take their rightful place in Aboriginal society so balance within the community can be restored.

The time for healing and reconciliation of the intergenerational pain and suffering is upon us. It is up to the survivors' intergenerational family members to begin walking the pathway towards reconciliation because many of the residential school survivors are elderly and dying. Children, grandchildren and great-grandchildren of survivors must pick up the task. The work to be accomplished has been proclaimed within the 94 calls to action of the TRC. There is much work to be done by the next seven generations to continue the journey to reconciliation. As we begin the journey towards reconciliation I am reminded of the words shared by Dr. Mark Dockstator. He stated that just as the voices of survivors are sounding in the Waterdrum of this study, the voices of survivors are sounding in the stories told to the TRC across Canada – a Waterdrum resounding on a larger scale.[416] For me these words were very inspiring and illustrate the power of the Waterdrum.

[416] I was deeply touched by the words shared by Dr. Dockstator on January 15, 2016. After he spoke I realized the work of Waterdrum had extended farther than I had originally imagined. The magnitude of the work is monumental and speaks loudly to the next seven generations.

## 7.3 The Giveaway Ceremony

During a quiet moment of reflection a medicine wheel mirroring the healing journey of residential school survivors was revealed to me unlike others developed by other scholars.[417] For this reason the medicine wheel was named the *"Residential School Survivors Healing Wheel."* In the following pages the wheel will be shared to illustrate this point.

Although this medicine wheel was revealed during the middle of my dissertation journey it has been saved for the Giveaway Ceremony to gift residential school survivors. This gift is shared to show extreme appreciation for the courage and resilience demonstrated by the 24 survivors who took part of this study. As previously stated these survivors like many others have illustrated tremendous resiliency in the wake of such adverse conditions experienced in residential schools. In fact, there is evidence that demonstrates that confinement to residential school strengthened rather than weakened a sense of Aboriginal identity in some individuals.[418] Each of the survivors in this study have illustrated immense resiliency. I speak directly to them in saying, "For your ability to overcome the horrors of the residential school legacy I offer this gift of the medicine wheel to assist on your continued journey towards reconciliation. It is my hope that you will share this gift with your family so that they too can continue in your footsteps." With these words being shared the ceremony can now begin.

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[417] To read more on the use of medicine wheels used by other scholars and organizations see the works of Fyre Jean Graveline in Circle Works: *Transforming Eurocentric Consciousness* (Halifax: Fernwood Publishing, 1998); and Four Worlds Development; Aboriginal Healing and Wellness Strategy, Aboriginal Healing Foundation and National Native Addictions Partnership Foundation.

[418] Elizabeth Furniss, *Victims of Benevolence: The Dark Legacy of the Willimans Lake Residential School,* Vancouver: Arsenal Pulp Press, 1992).

During a Giveaway Ceremony gifts are assembled to be shared with the people and a spokesperson is asked, using appropriate protocol, to speak on behalf of the person sponsoring the Giveaway Ceremony. For this Giveaway Ceremony the residential school survivors that were interviewed for this study are being honoured for their contributions to this study and the Lodge Director will speak on behalf of the author.

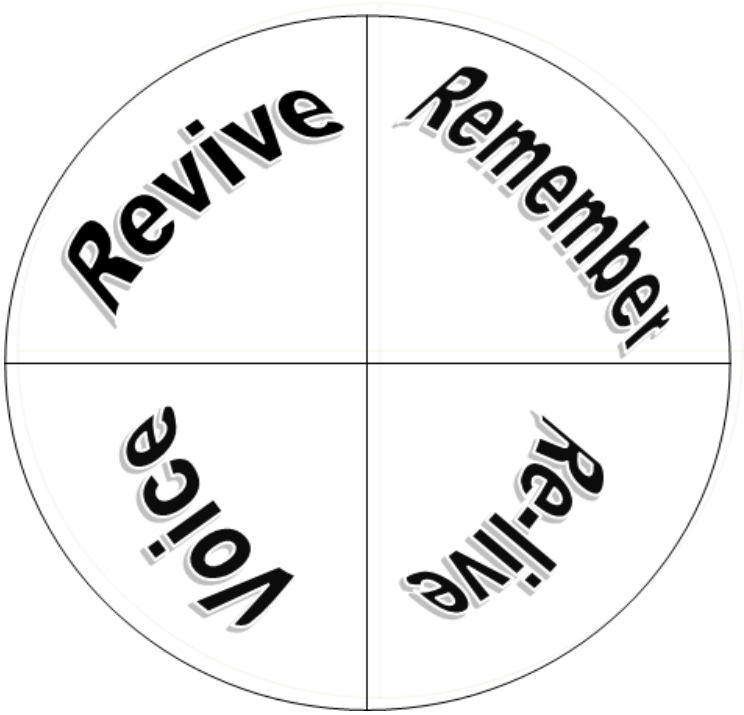
The Lodge Director sounds the Waterdrum four times to announce that the ceremony is about to begin. A blanket is laid upon the ground within the lodge to hold the gifts gathered for the giveaway. Upon the blanket a beautiful medicine wheel is laid. The medicine wheel contains four sacred gifts: Remember, Re-live, Voice and Reconcile. Also placed upon the blanket are medicine bundles containing the four sacred medicines (tobacco, cedar, sweetgrass and sage). These medicine bundles accompany the medicine wheel to assist the survivors with reconciliation.

The Lodge Director once again takes his place at the centre of the Lodge. The Lodge Director begins to speak, pointing to the gifts laid upon the blanket. He explains how the author was gifted with the medicine wheel while conducting research for this dissertation. He goes on to state, for all that has been given to the author during this study, gifts of sincere appreciation will be given to the survivors who participated in this study as well as those still in need of healing. The Lodge Director lifts the medicine wheel and begins to explain its four (4) components.

The Lodge Director cautions the survivors that the contents of the medicine wheel contains elements which will require them to return to their past; to the time they were taken to the residential school. But he reassures they need not be alarmed because revisiting the past will help them to move forward. He explains how each of

them will embark upon a healing journey as they begin to remember their past. He explains the journey through healing will lead them towards reconciliation and *a place of peace and comfort*.

**Figure 9: Residential School Survivors Healing Wheel**




The first gift contained within the medicine wheel is the gift to:

**Remember**

The Remember quadrant of the medicine wheel sits in the same location as the mental quadrant of the "Self" medicine wheel. As such, this quadrant requires the person to use their mental capacity to search their memory and recall specific incidents from the past. For residential school survivors this means they must find the

strength and support needed to revisit this time in their life. By *remembering* the past they will be able to move forward.

These words speak accurately to the residential school survivor experience. For survivors will never forget their childhood experience. However, to move forward survivors must remember what happened and mourn the losses that resulted from their residential school experience.[419] Remembering and mourning a lost childhood will continue until the trauma no longer commands the central place in their life.[420] Although re-living past trauma is difficult the process of healing requires an individual to re-visit the events and move through the various stages of recovery.[421] As a survivor works through their childhood memories they move closer to reconciliation.

Reflecting upon this quadrant I am reminded of the many survivors that stated they never talked about their residential school experience to anyone. For many not burying the hurts of the past was easier than talking about them. Although this may have been effective at the time; the longstanding feelings are still there. To come to terms with the traumatic past the survivor must remember their past.

He then turns to explain the second gift within the medicine wheel:

**Re-live**

Once the memory is triggered the survivor will begin having flashbacks of various events that took place in the residential school. In this quadrant the survivor moves to remembering their experience. Some of these memories are stored in long-term memory and some of these memories are blocked. Those survivors who blocked

[419] Judith Herman, *Trauma and Recovery* (New York: Basic Books, 1997), 175.
[420] Ibid, 195.
[421] Ibid, 188.

their residential school memories will need more time to come to terms with the past. But, once the memories are triggered and unblocked, the feelings and emotions of the past are re-lived in the mind of the individual. At this stage of the process survivors will have been able to retrieve the memories and re-live this time of their life.

After interviewing survivors I realized the memories many continued to carry of their residential school experience created considerable unresolved turmoil within their life. Carrying such a heavy burden for such a long time is not conducive to a happy and healthy lifestyle so survivors must garner the courage to talk about and re-live their experiences and start the process of letting go. The Lodge Director goes on to present the next gift within the medicine wheel:

**Voice**

The Lodge Director begins sharing the gift of voice by stating, at the beginning of time the Creator gave human beings the ability to speak. Each person was given a voice. It is up to each individual to learn to speak and to use their voice. Residential school survivors were forbidden to speak their language, thus silencing them as children.[422] Many forgot how to speak and to use their voice. Some have lived with the memories of residential school stored in their minds and never spoke these truths to anyone. With adequate support, those who have hung onto these memories can take a step forward and use their *voice* to share their story. Re-living the feelings and emotions of their childhood experience will help the survivor to move forward. The more the survivor is able to talk about their childhood trauma and give

[422] Aboriginal Healing Foundation, *Warrior-Caregivers: Understanding the Challenges and Healing of First Nations Men* (Ottawa: Aboriginal Healing Foundation, 2005), 61.

*voice* to their story the better they are able to cope with the memories and begin to forgive.

The most amazing revelation in this study has been the uncovering of what it meant for a survivor to find their voice. I am extremely indebted to the Elder that shared his wishes of being quoted verbatim in this study. Had it not been for this conversation I would have never stumbled onto the Little Boy Waterdrum methodology that I used in this study. I am forever grateful that these words were spoken at that time.

The last gift being given within the medicine wheel is:

**Revive**

When the survivor reaches the stage of understanding the childhood trauma they carry and begin to forgive those that have hurt them, they are ready to move forward. They are ready to revive the spirit of that child within; they are ready to return to living a life free of the shackles of the residential school. Survivors do not have to forget the past, but they have to learn forgiveness. Finding forgiveness for those things destroyed or taken away in one's life is not easy. But it must be done so the person can find *a place of peace* and comfort within self.

The Lodge Director continues by pointing to the medicine wheels and speaks to the residential school survivors stating they need to pick up the gifts bestowed upon them and walk with them. These gifts were presented to assist survivors to find that place of peace and reconciliation. He states a *place of peace* within self is a place the Creator has guaranteed all individuals will experience in their lifetime. He tells the survivors to work with the gifts until they find that *place of peace* within. But he

warns survivors they should not undertake this work alone and must seek the guidance of a qualified support person.

In the last quadrant of the medicine wheel I am humbled by the teaching within the revive sphere. What I have learned on this research journey is how survivors long for a normal childhood that did not include horrific experiences. After a lifetime of unresolved trauma survivors long to be home with their family and community – the place they remember as being safe and peaceful. It is this place that all survivors must return. Their lives were disrupted when taken and placed in a residential school; it is now time from them to be taken back to this time in their life and reminded that what they experienced was not their fault and to be welcomed back into the community with open arms and warm hearts.

This medicine wheel contains teachings, a message to the survivors and the hope for a new beginning – new life for the Aboriginal people of this country. The gift of the medicine wheel contains a powerful message of how Aboriginal people can move forward and move beyond the residential school legacy. Those who have come to witness can celebrate and honour the residential school survivors for all they have endured for us, for the teachings they have given us and for providing us with the hope of a new beginning.

### 7.4 The Travelling Song

The New People have a remarkable story to add to the history of Aboriginal peoples and the residential school legacy. They have demonstrated the courage and commitment it takes to champion an unresolved issue the Canadian government was afraid to touch and moved the issue into the political arena resulting in a historic

settlement agreement for all living residential school survivors. Because of their work we now have a roadmap with 94 calls to action from the TRC to work towards.

The New People have opened the doorway for reconciliation to begin within Canada. The New People have picked up the pieces of the culture left by the trail and brought the teachings back to the people. The doorway to reconciliation has been opened. It is time for the next generation to step up and begin their work of mending broken relationships, teaching about the past so these problems never resurface. The next generation must hold the Prime Minister of Canada accountable for the promises made to residential school survivors. Canadians must ensure the federal government puts these words into meaningful action instead of empty promises.

The younger generation has to be strong so they can carry the Waterdrum proudly into the future for the next seven generations. By completing the work recommended by the TRC they will be able to tell their stories to their children and grandchildren about how they overcame the residential school legacy and reached reconciliation with pride and dignity.

As we celebrate the gifts given in this Giveaway Ceremony the drum will sing a Travelling Song for all those gathered. This Travelling Song asks the Creator to bless the people as they travel on their healing journey to reconciliation, back to their loved ones and to their community and onto a brighter and happier future: to bring *the spirit to a place of peace.*

-Kino nda-nwendaaganag-

(All My Relations)

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# APPENDIX 1

1600 West Bank Drive

Peterborough, ON Canada K9J 7B8

DEPARTMENT OF
INDIGENOUS STUDIES

1600 West Bank Drive

TRENT UNIVERSITY

Telephone (705) 748-1011 ext. 7486

Facsimile (705) 748-1415

## Reconciliation of the Residential School Experience

### Information Sheet

The interview that you are being asked to participate in focuses upon the personal experiences of the processes that survivors utilized to address the Residential School issue. This project is being conducted by Valerie Waboose a Ph. D. candidate of the Indigenous Studies Program at Trent University in Peterborough, Ontario. This research is being supervised by Dr. Lynne Davis, Director of Indigenous Studies Ph. D. Program at Trent.

Participation in this interview is voluntary and includes 10 questions and will take approximately one (1) hour to complete. I am aware that some individuals that have suffered traumatic events at residential schools can be triggered when talking about the residential school experience; therefore, I have arranged to have a personal support worker made available to you within your community should you feel the need to talk to someone after this interview.

You may decline to answer any questions at any time during the interview. If your comments are used in my research they will be listed from an anonymous source. However, you have the option of being acknowledged for your participation in this study by providing your expressed consent. All information that you provide will be held in the strictest of confidence and kept in secure storage at Trent University for a period of five (5) years. After five (5) years the data will be donated to the Truth and Reconciliation Commission, with your expressed consent. If you choose not to consent all data from your interview will be destroyed.

I would like to assure you that this study has been reviewed by the Indigenous Studies Department and has received clearance through the Office of Research Ethics. Should you have any comments or concerns regarding ethical issues or your participation in this project please contact the Trent Research Ethics Board by either phoning Karen Mauro at (705) 748-1011 (Ext. 7059) or emailing her at kmauro@trentu.ca

If you have any questions regarding this research call Lynne Davis at (705)748-1011 Ext. 7241or email lydavis@trentu.ca. I can be contacted at (705) 748-3983 or vwaboose@hotmail.com . Thank you for your assistance in this important project.

Yours sincerely,

Valerie Waboose
Ph. D. Candidate, Trent University

# APPENDIX 2

TRENT UNIVERSITY

DEPARTMENT OF
INDIGENOUS STUDIES

1600 West Bank Drive

Telephone (705) 748-1011 ext. 7456

Facsimile (705) 748-1416

## LETTER OF INFORMED CONSENT

This study aims to gather information regarding the survivors' perceptions and experiences that Residential School Survivors have had with the processes developed to reconcile the Residential School issues. The research is being conducted by Velarie C. Waboose, a graduate student at Trent University in the Department of Indigenous Studies, who can be contacted at velariewaboose@trentu.ca or by phone at 705-743-3983. This research is being supervised by Dr. Lynne Davis, who can be contacted at lydavis@trentu.ca . The Trent University Ethics Review Board has reviewed and approved this research project if for any reason you wish to speak to them directly you can phone Karen Mauro at 748 1011 x 7050 or e mail her at kmauro@trentu.ca

There are two parts to this research:

- Documentary analysis
- Individual interviews with Residential School Survivors

Some of this information may be presented in the form of papers and publications so that others may benefit from this research.

I agree to be interviewed for this study in order to share my perspectives and experiences. I understand that I can withdraw from the study at any time, and may refuse to answer any question.

I understand that my interview will be tape-recorded in order to ensure an accurate record of what I have said. The taped interview will be transcribed and analyzed on computer. My name and the information provided will be treated as strictly confidential and will be reviewed only by the researcher and her staff who are bound by an oath of confidentiality. All interview tapes and written transcripts will be kept in a secure location under lock and key, and computer files will be strictly controlled. All data will be kept until the end of the study, which is expected to last approximately 1 year and will either be donated to the Truth and Reconciliation Commission or destroyed after five years. I further understand that none of the information gathered will be used for commercial or legal purposes.

If at any time during this research study I decide to discontinue my involvement I have been informed that all of the data collected from my interview will be immediately destroyed.

I understand that I may be quoted in the materials that are produced from this study. All quotations will be used on an anonymous basis and with adequate provision to disguise my identity. I further understand that I may be acknowledged in the final report if I provide my expressed consent.

**Acknowledgement in Final Report**

_____ I want to be acknowledged in the final report

_____ I do not want to be acknowledged in the final report

**Archiving**

_____ I want the research materials collected during my interview to be donated to the Truth and Reconciliation Commission Archives.

_____ I do not want the research materials collected during my interview to be donated to the Truth and Reconciliation Commission Archives.

I have read this explanation of the study, and agree to participate. I have been provided with a copy of this consent form.

_____ _____

Name – Please Print Signature

_____ _____

Mailing Address

_____ _____

E-mail Phone

_____ _____

Date Witness

## APPENDIX 3

TRENT UNIVERSITY

DEPARTMENT OF
INDIGENOUS STUDIES

1600 West Bank Drive

Telephone (705) 748-1011 ext. 7486

Facsimile (705) 748-1416

**Feedback Form**

**Research Topic: "Reconciliation of the Residential School Experience."**

The attached information is provided to give you a condensed update on the information that is available regarding the reconciliation of the residential school experience. If you have any comments about this information please send to me at ywaboose@hotmail.com or to my research supervisor Dr. Lynne Davis at lydavis@trentu.ca. We can also be reached at (704) 748-1011, ext. 7241.

**Survivors began talking openly about the personal experiences they suffered while attending Residential Schools in Canada stirring unprecedented political action. Since this time the Assembly of First Nations has been successful in negotiating an Alternative Dispute Resolution, Common Experience Payment for the Elderly and a Settlement Agreement which includes a new and revised Independent Assessment Process, a Truth and Reconciliation Commission and continued funding for the Aboriginal Healing Foundation.**

**Survivors are not tied to the Independent Assessment or the Common Experience Payment processes for compensation. Nor are they discouraged from utilizing other avenues to seek compensation. If they feel that the compensation they received was not adequate they can also use the court system to seek redress regardless of whether or not they used the ADR process or received a Common Experience payment.[390] The choice of method used to resolve the residential school issue is the decision that has to be made by each Survivor.**

**The Indian Residential School Settlement Agreement that was signed on November 20, 2005 by National Chief Phil Fontaine (on behalf of AFN) and the Honorable Frank Iacobucci (Canada) was the largest settlement agreement to be signed in Canada.[391]**

**This Agreement included the Early Payment for the Elderly, the Common Experience Payment. It also included discussion regarding a New Alternative Dispute Resolution process, a Truth**

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[390] Canadian Bar Association. "The Logical Next Step: Reconciliation Payments for All Residential School Survivors". A paper written as a public statement by the Canadian Bar Association. February 2005, p.70.

[391] Indian Residential Schools Resolution Canada. "Indian Residential Schools Settlement Agreement", October 2007. http://www.irsr-rqpi.gc.ca/english

and Reconciliation process, a Commemoration Fund in the amount of $20 million, and a Healing fund in the amount of $125 million to the Aboriginal Healing Foundation.[392]

The efforts of the Federal government to assimilate Aboriginal people into mainstream society have not been easy upon them. They have had to endure a tremendous amount of devastation over the past 500 years. But, despite these many obstacles they have persevered and managed to remain strong. Any normal person would wonder how a nation of people could survive such devastation. And sometimes it even mystifies Aboriginal people themselves; wondering how they could have survived when the Federal Government was so adamant about assimilating them into mainstream society. But they did. Despite the efforts of the Federal Government Aboriginal people are still here: resilient and proud.

Reconciliation has been discussed since the government issued the Statement of Reconciliation in 1990.[393] At that time, then Minister of Indian Affairs, Jane Stewart stated that the federal government would work with First Nations, Inuit and Métis people, the Churches and other interested parties to resolve the longstanding issues that transpired as a result of residential schools.[394]

But, what does reconciliation mean? And what does reconciliation mean to residential school survivors?

According to the Aboriginal Healing Foundation, one definition of reconciliation is "make resigned or contentedly submissive [to one's fate]."[395] A more optimistic definition of reconciliation is proposed in peace studies pursuant to wars and conflicts that have generated atrocities. In this context reconciliation means:

> "Coming to accept one another and developing mutual trust. This requires forgiving. Reconciliation required that victims and perpetrators come to accept the past and not see it as defining the future as simply a continuation of the past, that they come to see the humanity of one another, accept each another and see the possibility of a constructive relationship."[396]

Another definition of reconciliation was found in an article by Maggie Hodgson:

> "Reconciliation is a western concept that describes a process of bringing one's spirit to a place of peace."[397]

Definitions such as these imply that the parties will be able to overcome the past so that they can get on with the future. In principle it may seem like an easy task for a victim to forgive a perpetrator but in reality this may be a very difficult task. And for some, developing trust may

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[392] Assembly of First Nations. Indian Residential Schools Settlement Agreement. www.afn.ca/article.
[393] Aboriginal Healing Foundation. A Healing Journey: Reclaiming Wellness. Final Report of the Aboriginal Healing Foundation. (Aboriginal Healing Foundation: Ottawa, 2006), p. 179.
[394] Indian and Northern Affairs. Statement of Reconciliation. www.inac.gc.ca
[395] Ibid, p. 179
[396] Ibid. p. 179.
[397] Hodgson, Maggie. *"Reconciliation: A Spiritual Process."* in From Truth to Reconciliation: Transforming the Legacy of Residential Schools, (Aboriginal Healing Foundation: Ottawa, 2008) pp. 363-379 at p. 363.

never happen in their lifetime. But, for the sake of the children, grandchildren and future generations we must be optimistic about moving forward.

For those that are ready to move onto reconciliation the path is now being created. In 2008 the Truth and Reconciliation Commission will be officially launched and the process will begin. Those that are ready to tell their stories about their experience at residential school to the world will have the opportunity. The opportunity for reconciliation and closure of this legacy is upon us.

# APPENDIX 4
# INTERVIEW QUESTIONS

Name: _____ Current Age: _____

Residential School/s Attended: _____

Age during this time: _____

Number of years attended: _____

_____

1. What process did you utilize for your residential school claim?

2. How did you learn about the process that you utilized?

3. What made you decide to use the (ADR, litigation, compensation) process?

4. Can you tell me about your experience with the (ADR, litigation, Common Experience compensation, IAP) process that you were involved with?

5. Did you have any expectations of the process before you began?
   a. Did you ever think about utilizing a different process? If so, what made you change your mind about pursing that process?

6. How would you describe the experience with the process you utilized to settle your claim?

7. How do you feel now that your residential school claim has been completed?

8. Have you thought about making a presentation to the Truth and Reconciliation Commission?

9. What value do you see in the Truth and Reconciliation Commission?

Would you like to make any other comments?

## APPENDIX 5

### Royal Commission on Aboriginal Peoples
### Recommendations from Chapter 10, Residential Schools, Volume 1

Recommendations

The Commission recommends that

**1.10.1**
Under Part I of the Public Inquiries Act, the government of Canada establish a public inquiry instructed to

(a) Investigate and document the origins and effects of residential school policies and practices respecting all Aboriginal peoples, with particular attention to the nature and extent of effects on subsequent generations of individuals and families, and one communities and Aboriginal societies;
(b) Conduct public hearings across the country with sufficient funding to enable the testimony of affected persons to be heard;
(c) Commission research and analysis of the breadth of the effects of these policies and practices;
(d) Investigate the record of residential schools with a view to the identification of abuse and what action, if any, is considered appropriate; and
(e) Recommend remedial action by governments and the responsible Churches deemed necessary by the inquiry to relieve conditions created by residential school experience, including as appropriate;

- Apologies by those responsible;
- Compensation of communities to design and administer program that help the healing process and rebuild their community life; and
- Funding for treatment of affected individuals and their families.

**1.10.2**
A majority of commissioners appointed to this public inquiry be Aboriginal.

**1.10.3**

The government of Canada fund establishment of a national repository of records and video collections related to residential school, co-ordinated with planning of the recommended Aboriginal People' International University (see Volume 3, Chapter 5) and its electronic clearinghouse, to

- Facilitate access to documentation and electronic exchange of research on residential schools;
- Provide financial assistance for the collection of testimony and continuing research;

- Work with educators in the design of Aboriginal curriculum that explains the history and effects of residential schools; and
- Conduct public education programs on the history and effects of residential schools and remedies applied to relive their negative effects.

## APPENDIX 6

### Apology from United Church of Canada

"Long before my people journeyed to this land your people, were here, and you received from you Elders and understanding of Creation, and of the Mystery that surrounds us all that was deep, and rich and to be treasured. We did not hear you when you shared your vision. In our zeal to tell you the good news of Jesus Christ we were closed to the value of your spirituality. We confused western ways and culture with the depth and breadth and length and height of the gospel of Christ. We imposed our civilization as a condition of accepting the Gospel. We tried to make you like us and in doing so we helped to destroy the vision that made you what you were. As a result, you, and we, are poorer and the image of the Creator in us is twisted, blurred and we are not what we are meant by God to be." [423]

[423] Aboriginal Healing Foundation. The Future of the Residential School Healing Movement. (Kanatiio Communications: Ottawa, 2004) at p. 3.

## APPENDIX 7

### Apology from the Missionary Oblates of Mary Immaculate in Canada

The Missionary Oblates of Mary Immaculate in Canada wish, after one hundred and fifty years of being with and ministering to the Native peoples of Canada, offer an Apology for certain aspects of that presence and ministry.

We apologize for the part we played in the cultural, ethnic, linguistic and religious imperialism that was part of the mentality with which the peoples of Europe first met the Aboriginal peoples and which consistently has lurked behind the way the Native peoples of Canada have been treated by civil governments and by the Churches. We were, naively, part of this mentality and were, in fact, often a key play in its implementation. We recognize that this mentality has, from the beginning and ever since, continually threatened the cultural, linguistic and relations traditions of the Native peoples.

We recognize that many of the problems that beset Native communities today – high unemployment, alcoholism, family breakdown, domestic violence, spiralling suicide rates, lack of healthy self-esteem are not so much the result of personal failure as they are the result of centuries of systemic imperialism. Any people stripped of its traditions and of its pride falls victim to precisely these social ills. For the part that we played, however inadvertent and naïve that participation may have been, in the setting up and maintaining of a system that stripped others of not only their lands but also their cultural, linguistic, and religious traditions, we sincerely apologize.

Beyond this regret for having been part of a system which, because of its historical privilege and assumed superiority did great damage to the Native peoples of Canada, we wish to apologize specifically for the following:

In sympathy with recent criticisms of the Native Residential Schools, we wish to apologize for the part we played in the setting up and maintaining of those schools. We apologize for the existence of the school themselves, recognizing that the biggest abuse what not what happened in the schools, but that the schools themselves happened, that the primal bond inherent within families was violated as a matter of policy, that children were usurped from their natural communities, and that, implicitly and explicitly, these schools operated out of the premise that European languages, traditions, and religious practices were superior to Native languages, traditions, and religious practices. The Residential Schools were an attempt to assimilate Aboriginal peoples and we played an important role in the unfolding of this design. For this we sincerely apologize.

We wish to apologize in a very particular way for the instances of physical and sexual abuse that occurred in those schools. We reiterate that the bigger issue of abuse was the existence of the schools themselves, but we wish to publicly acknowledge that there were instances of individual physical and sexual abuse. Far from attempting to defend or rationalize these cases of abuse in any way, we wish to state publicly that we acknowledge that they were inexcusable, intolerable, and a betrayal of trust in one

of its most serious forms. We deeply, and very specifically, apologize to every victim of such abuse and we seek help in searching for means to bring about healing. Finally, we wish to apologize as well for our past dismissal of many of the riches of Native religious tradition. We broke some of your peace pipes and we considered some of your sacred practices as pagan and superstitious. This, too, had its origins in the colonial mentality, our European superiority complex which was grounded in a particular view of history. We apologize for this blindness and disrespect.

The Reverend Douglas Crosby,
O.M.I.
President, Oblate Superiors of the
Canadian Region Lac
Ste. Anne
July 24, 1991."[424]

[424] Ibid, at pp. 4. -6.

## APPENDIX 8 Apology from the Anglican Church

My Brothers and Sisters:

Together here with you I have listened as you have told your stories of the Residential Schools. I have heard the voices that have spoken of pain and hurt experienced in the schools, and of the scars which endure to this day. I have felt shame and humiliation as I have heard of suffering inflicted by my people, and as I think of the part our church played in that suffering.

I am deeply conscious of the sacredness of the stories that you have told, and I hold in the highest honour those who have told them. I have heard with admiration the stories of people and communities who have worked at healing, and I am aware of how much more healing is needed. I also know that I am in need of healing, and my own people are in need of healing, and our church is in need of healing. Without that healing, we will continue the same attitudes that have done such damage in the past. I know that healing takes a long time, both for people and for communities. I also know that it is God who heals, and that God can begin to heal when we open ourselves, our wounds, our failure and our shame, to God. I want to take one step along that path here and now. I accept and I confess before God and you, our failures in the Residential Schools. We failed you. We failed ourselves. We failed God.

I am sorry, more than I can say, that we were part of a system which took you and your children from home and family. I am sorry, more than I can say, that we tried to remake you in our image, taking from you your language and the signs of your identity. I am sorry, more than I can say, that in our schools so many were abused physically, sexually, culturally, and emotionally. On behalf of the Anglican Church of Canada, I offer our Apology.

A message from the Primate
To the National Native Convocation
Minaki, Ontario
August 6, 1993."[425]

[425] Ibid, at pp. 7 – 8.

**APPENDIX 9**

# "Our Confession"

# Presbyterian Church of Canada

Our Confession" states:

The Holy Spirit, speaking in and through Scripture, calls The Presbyterian Church in Canada to confession. This confession is our response to the word of God. We understand our mission and ministry in new ways, in part because of the testimony of Aboriginal peoples.

1. We, the 120th General Assembly of the Presbyterian Church in Canada, seeking the guidance of the Spirit of God, and aware of our own sin and shortcomings, are called to speak to the Church we love. We do this, out of new understandings of our past, not our of any sense of being superior to those who have gone before us, nor out of any sense that we would have done things differently in the same context. It is with deep humility and in great sorrow that we come before God and our Aboriginal brothers and sisters with our confession.
2. We acknowledge that the stated policy of The Government of Canada was to assimilate Aboriginal peoples to the dominant culture, and that The Presbyterian Church of Canada co-operated in this policy. We acknowledge that the roots of the harm we have done are found in the attitudes and values of western European colonialism, and the assumption that what was not yet molded in our image was to be discovered and exploited. As part of that policy we, with other Churches, encouraged the Government to ban some important spiritual practices through which Aboriginal peoples experienced the presence of the creator God. For the Church's complicity in this policy we ask forgiveness.
3. We recognize that there were many members of The Presbyterian Church of Canada who, in good faith, gave unstintingly of themselves in love and compassion for their Aboriginal brothers and sisters. We acknowledge their devotion and comment them for their work. We recognize that there were some who, with prophetic insight, were aware of the damage that was being done and protested, but their efforts were thwarted. We acknowledge their insight. For the times we did not support them adequately nor hear their cries for justice, we ask forgiveness.
4. We confess that The Presbyterian Church in Canada presumed to know better than Aboriginal peoples what was needed for life. The Church said of our Aboriginal brothers and sisters, "If they could be like us, if they could think like us, talk like us, worship like us, sing like us, and work like us, they would know God and therefore would have life abundant." In our cultural arrogance we have been blind to the ways in which our own understanding of the Gospel has been culturally conditioned, and because of our insensitivity to Aboriginal cultures, we have demanded more of the Aboriginal people than the gospel requires, and have thus misrepresented Jesus Christ who loves all peoples with compassionate, suffering love that all may come to God through him. For the Churches presumption we ask forgiveness.

5. We confess that, with the encouragement and assistance of the Government of Canada, The Presbyterian Church in Canada agreed to take the children of Aboriginal peoples from their own homes and place them in Residential Schools. In these schools, children were deprived of their traditional ways, which were replaced with Euro Canadian customs that were helpful in the process of assimilation. To carry out this process, The Presbyterian Church in Canada used disciplinary practices which were foreign to Aboriginal peoples, and open to exploitation in physical and psychological punishment beyond any Christian maxim of care and discipline. In a setting of obedience and acquiescence there was opportunity for sexual abuse, and some were so abused. The effect of all this for Aboriginal peoples, was the loss of cultural identity and the loss of a secure sense of self. For the Church's insensitivity we ask forgiveness.
6. We regret that there are those whose lives have been deeply scarred by the effects of the mission and ministry of The Presbyterian Church in Canada. For our Church we ask forgiveness of God. It is our prayer that God, who is merciful, will guide us in compassionate ways toward helping them to heal.
7. We ask, also, for forgiveness from Aboriginal peoples. What we have heard we acknowledge. It is our hope that those whom we have wronged with a hurt too deep for telling will accept what we have to say. With God's guidance our Church will seek opportunities to walk with Aboriginal peoples to find healing and wholeness together as God's people.

The Confession of the
Presbyterian
Church
As adopted by the General
Assembly
June 9, 1994.[426]

[426] Ibid, at pp. 8 - 11

## APPENDIX 10

### Federal Government Statement of Apology

***"Statement of Apology – to former students of Indian Residential Schools***

The treatment of children in Indian Residential Schools is a sad chapter in our history. For more than a century, Indian Residential Schools separated over 150,000 Aboriginal children from their families and communities. In the 1870's, the federal government, partly in order to meet its obligation to educate Aboriginal children, began to play a role in the development and administration of these schools. Two primary objectives of the Residential Schools system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption Aboriginal cultures and spiritual beliefs were inferior and unequal. Indeed, some sought, as it was infamously said, "to kill the Indian in the child". Today, we recognize that this policy of assimilation was wrong, has caused great harm, and has no place in our country. One hundred and thirty-two federally-supported schools were located in every province and territory, except Newfoundland, New Brunswick and Prince Edward Island. Most schools were operated as "joint ventures" with Anglican, Catholic, Presbyterian or United Churches. The Government of Canada built an educational system in which very young children were often forcibly removed from their homes, often taken far from their communities. Many were inadequately fed, clothed and housed. All were deprived of the care and nurturing of their parents, grandparents and communities. First Nations, Inuit and Métis languages and cultural practices were prohibited in these schools. Tragically, some of these children died while attending residential schools and others never returned home. The government now recognizes that the consequences of the Indian Residential Schools policy were profoundly negative and that this policy has had a lasting and damaging impact on Aboriginal culture, heritage and language. While some former students have spoken positively about their experiences at residential schools, these stories are far overshadowed by tragic accounts of the emotional, physical and sexual abuse and neglect of helpless children, and their separation from powerless families and communities. The legacy of Indian Residential Schools has contributed to social problems that continue to exist in many communities today. It has taken extraordinary courage for the thousands of survivors that have come forward to speak publicly about the abuse they suffered. It is a testament to their resilience as individuals and to the strength of their cultures. Regrettably, many former students are not with us today and died never having received a full Apology from the Government of Canada. The government recognizes that the absence of an Apology has been an impediment to healing and reconciliation. Therefore, on behalf of the Government of Canada and all Canadians, I stand before you, in this Chamber so central to our life as a country, to apologize to Aboriginal peoples for Canada's role in the Indian Residential Schools system. To the

approximately 80,000 living former students, and all family members and communities, the Government of Canada now recognizes that it was wrong to forcibly remove children from their homes and we apologize for having done this. We now recognize that it was wrong to separate children from rich and vibrant cultures and traditions that it created a void in many lives and communities, and we apologize for having done this. We now recognize that, in separating children from their families, we undermined the ability of many to adequately parent their own children and sowed the seeds for generations to follow, and we apologize for having done this. We now recognize that, far too often, these institutions gave rise to abuse or neglect and were inadequately controlled, and we apologize for failing to protect you. Not only did you suffer these abuses as children, but as you became parents, you were powerless to protect your own children from suffering the same experience, and for this we are sorry. The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a Government, and as a country. There is no place in Canada for the attitudes that inspired the Indian Residential Schools system to ever again prevail. You have been working on recovering from this experience for a long time and in a very real sense, we are now joining you on this journey. The Government of Canada sincerely apologizes and asks the forgiveness of the Aboriginal peoples of this country for failing them so profoundly. In moving towards healing, reconciliation and resolution of the sad legacy of Indian Residential Schools, implementation of the Indian Residential Schools Settlement Agreement began on September 19, 2007. Years of work by survivors, communities, and Aboriginal organizations culminated in an agreement that gives us a new beginning and an opportunity to move forward together in partnership. A cornerstone of the Settlement Agreement is the Indian Residential Schools Truth and Reconciliation Commission. This Commission presents a unique opportunity to educate all Canadians on the Indian Residential Schools system. It will be a positive step in forging a new relationship between Aboriginal peoples and other Canadians, a relationship based on the knowledge of our shared history, a respect for each other and a desire to move forward together with a renewed understanding that strong families, strong communities and vibrant cultures and traditions will contribute to a stronger Canada for all of us.

On behalf of the Government of Canada
The Right Honourable Stephen Harper,
Prime Minister of Canada. June 11, 2008.[427]

[427] Government of Canada. *Statement of Apology*. Issued by Federal Government, June 11, 2008.

## APPENDIX 11

Schedule "N" of the Indian Residential School Settlement Agreement

## MANDATE FOR THE TRUTH AND RECONCILIATION COMMISSION

There is an emerging and compelling desire to put the events of the past behind us so that we can work towards a stronger and healthier future. The truth telling and reconciliation process as part of an overall holistic and comprehensive response to the Indian Residential School legacy is a sincere indication and acknowledgement of the injustices and harms experienced by Aboriginal people and the need for continued healing. This is a profound commitment to establishing new relationships embedded in mutual recognition and respect that will forge a brighter future. The truth of our common experiences will help set out spirits free and pave the way to reconciliation.

### Principles

Through the Agreement, the Parties have agreed that a historic Truth and Reconciliation Commission will be established to contribute the truth, healing and reconciliation.

The Truth and Reconciliation Commission will build upon the "Statement of Reconciliation" dated January 7, 1998 and the principles developed by the Working Group on Truth and Reconciliation and of the Exploratory Dialogues (1998-1999). These principles are as follows: accessible; victim-centered; confidentiality (if required by the former student); do no harm; health and safety of participants; representative; public/transparent; accountable; open and honourable process; comprehensive; inclusive, education holistic, just and fair; respectful; voluntary; flexible; and forward looking in terms of rebuilding and renewing Aboriginal relationships and the relationship between Aboriginal and non-Aboriginal Canadians.

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

### Term of Reference

### 1. Goals

The goals of the Commission shall be to:

(a) Acknowledge Residential School experiences, impacts and consequences;

(b) Provide a holistic, culturally appropriate and sage setting for former students, their families and communities as they come forward to the Commission;

(c) Witness, support, promote and facilitate truth and reconciliation events at both the nation and community levels;

(d) Promote awareness and public education of Canadians about the IRS system and its impacts;

(e) Identify sources and create as complete an historical record as possible of the IRS system and legacy. The record shall be preserved and made accessible to the public for future study and use;

(f) Produce and submit to the Parties of the Agreement a report including recommendations to the Government of Canada concerning the IRS system and experience including: the history, purpose, operation and supervision of the IRS system, the effect and consequences of IRS (including systemic harms, intergenerational consequences and the impact of human dignity) and the ongoing legacy of the residential school;

(g) Support commemoration of former Indian Residential School students and their families in accordance with the Commemoration Policy Directive (Schedule "X" of the Agreement).

**2. Establishment, Power, Duties and Procedures of the Commission**

The Truth and Reconciliation Commission shall be established by the appointment of "the Commissioners" by the Federal Government through an Oder of Council, pursuant to special appointment regulations.

Pursuant to the Court-Approved final settlement agreement and the class action judgement, the Commissioners:

(a) in fulfilling their Truth and Reconciliation Mandate, are authorized to receive statements and documents from former students, their families, community and all other interested participants, and , subject to (f), (g) and (h) below, make use of all documents and materials produced by the parties. Further, the Commissioners are authorized and required in the public interest to archive all such documents, materials, and transcripts or recordings of statements received, in a manner that will ensure their preservation and accessibility to the public and in accordance with access and privacy, and any other applicable legislation;

(b) shall not hold formal hearings, nor act as a public inquiry, nor conduct a formal legal process;

(c) shall not possess subpoena powers, and do not have powers to compel attendance or participation in any of its activities or events. Participation in all Commission events and activities is entirely voluntary;

(d) may adopt any informal procedures or methods they may consider expedient for the proper conduct of the Commission events and activities, so long as they

remain consistent with the goals and provisions set out in the Commission's mandate statement;

(e) may, at its discretion, hold sessions in camera, or require that sessions be held in camera;

(f) shall perform their duties in holding events, in activities, in public meetings, in consultations, in making public statements, and in making their reports and recommendations without making any findings or expressing any conclusion or recommendation, regarding the misconduct of any person, unless such findings or information have already been established through legal proceedings, by admission, or by public disclosure by the individual. Further, the Commission shall not make any reference in any of its activities or in its report or recommendations to the possible civil or criminal liability of any person or organization, unless such findings or information about the individual or institution has already been established through legal proceedings;

(g) shall not, except as required by law, use or permit access to statements made by individuals during any of the Commissions events, activities or processes, except with the express consent of the individual and only for the sole purpose and extent for which the consent is granted;

(h) shall not name names in their events, activities, public statements, report or recommendations, or make use of personal information or of statements made which identify a person, without the express consent of that individual, unless that information and/or the identity of the person so identified has already been established through legal proceedings, by admission, or by public disclosure by that individual. Other information that could be used to identify individuals shall be anonymized to the extent possible;

(i) notwithstanding (e), shall require in camera proceedings for the taking of any statement that contains names or other identifying information of persons alleged by the person making the statement of some wrong doing, unless the person named or identified has been convicted for the alleged wrong doing. The Commissioners shall not record the names of persons so identified, unless the person named or identified have been convicted for the alleged wrong doing. Other information that could be used to identify said individuals shall be anonymized to the extent possible;

(j) shall not, except as required by law, provide to any other proceeding, or for any other use, any personal information, statement made by the individual or any information identifying any person, without that individual's express consent;

(k) shall ensure that the conduct of the Commission and its activities do not jeopardize any legal proceedings;

(l) may refer to the NAC for determination of disputes involving document production, document disposal and archiving, contents of the Commission's Report and Recommendations and Commission decisions regarding the scope of

its research and issues to be examined. The Commission shall make best efforts to resolve the matter itself before referring it to the NAC.

**3. Responsibilities**

In keeping with the powers and duties of the Commission, as enumerated in section 2 above, the Commission shall have the following responsibilities:

(a) to employ interdisciplinary, social sciences, historical, oral traditional and archival methodologies for statement-taking, historical fact-finding and analysis, report-writing, knowledge management and archiving;

(b) to adopt methods and procedures which it deems necessary to achieve its goals;

(c) to engage the services of such person including experts, which it deems necessary to achieve its goals;

(d) to establish a research centre and ensure the preservation of its archives;

(e) to have available the use of such facilities and equipment as is required, within the limits of appropriate guidelines and rules;

(f) to hold such events and give such notices as appropriate. This shall include such significant ceremonies as the Commission sees fit during and at the conclusion of the 5 year process;

(g) to prepare a report;

(h) to have the report translated in the two official languages of Canada and all or parts or the report in such Aboriginal languages as determined by the Commissioners;

(i) to evaluate commemoration proposals in line with the Commemoration Policy Directive (Schedule "X" of the Agreement).

**4. Exercise of Duties**

As the Commission is not to act as a public inquiry or to conduct a formal legal process, it will, therefore, not duplicate in whole or in part the function of criminal investigations, the Independent Assessment Process, court actions, or make recommendations on matters already covered in the Agreement. In the exercise of its powers the Commission shall recognize:

(a) the unique experiences of First Nations, Inuit and Métis former IRS students, and will conduct its activities, hold its events, and prepare its Report and Recommendations in a manner that reflects and recognizes the unique experiences of all former IRS students;

(b) that the truth and reconciliation process is committed to the principle of voluntariness with respect to individuals' participation;

(c) that it will build upon the work of past and existing processes, archival records, resources and documentation, including the work and records of the Royal Commission on Aboriginal People of 1996;

(d) the significance of Aboriginal oral and legal traditions in its activities;

(e) that as part of the overall holistic approach to reconciliation and healing, the Commission should reasonably coordinate with other initiatives under the Agreement and shall acknowledge links to other aspects of the Agreement such that the overall goals of reconciliation will be promoted;

(f) that all individual statements are of equal importance, even if those statements are delivered after the completion of the report;

(g) that there shall be an emphasis on both information collection/storage and information analysis.

**5. Membership**

The Commission shall consist of an appointed Chairperson and two Commissioners, who shall be persons of recognized integrity, stature and respect.

(a) Consideration should be given to at least one of the three members being an Aboriginal person;

(b) Appointments shall be made out of a pool of candidates nominated by former students, Aboriginal organizations, Churches and government;

(c) The Assembly of First Nation (AFN) shall be consulted in making the final decision as to the appointment of the Commissioners.

**6. Secretariat**

The Commission shall operate through a central Secretariat.

(a) There shall be an Executive Director in charge of the operation of the Commission who shall select and engage staff and regional liaisons.

(b) The Executive Director in charge of the operation of the Commission who shall select and engage staff and regional liaisons;

(c) The Secretariat shall be responsible for the activities of the Commission such as:

(i) research;

(ii) event organization;

(iii) statement taking/truth-sharing;

(iv) obtaining documents;

(v) information management of the Commission's documents;

(vi) production of the report;

(vii) ensuring the preservation of its records;

(viii) evaluation of the Commemoration Policy Directive proposals.

(d) The Executive Director and Commissioners shall consult with the Indian Residential School Survivor Committee on the appointment of the Regional Liaisons.

(e) Regional liaisons shall:

(i) act as knowledge conduits and promotes sharing of knowledge among communities, individuals and the Commission;

(ii) provide a link between the national body and communities for the purpose of coordinating national and community events;

(iii) provide information to and assist communities as they plan truth and reconciliation events, coordinate statement-taking/truthsharing and event-recording, and facilitate information flow from the communities to the Commission.

**7. Indian Residential School Survivor Committee (IRSSC)**

The Commission shall be assisted by an Indian Residential School Survivor Committee (IRSSC).

(a) The Committee shall be composed of 10 representatives drawn from various Aboriginal organizations and survivor groups. Representation shall be regional, reflecting the population distribution of Indian

Residential Schools (as defined in the Agreement). The majority of the representatives shall be former residential school students;

(b) Members of the Committee shall be selected by the Federal Government, in consultation with the AFN, from a pool of eligible candidates developed by the stakeholders;

(c) Committee members are responsible for providing advice to the Commissioners on:

(i) the characteristics of a "community" for the purposes of participation in the Commission processes;

(ii) the criteria for the community and national processes;

(iii) the evaluation of Commemoration Policy Directive proposals;

(iv) such other issues as are required by the Commissioners.

**8. Timeframe**

The Commission shall complete its work within five years. Within that five year span, there are two timelines:

**Two Year Timeline**

(a) Preparation of a budget within three months from being launched, under the budgetary cap provision in the Agreement;

(b) Completion of all national events, and research and production of the report on historic findings and recommendations, within two years of the launch of the Commission, with the possibility of a 6 month extension, which shall be at the discretion of the Commissioners.

**Five Year Timeline**

(a) Completion of the community truth and reconciliation events, statement taking/truth sharing, reporting to the Commission from communities and closing ceremonies;

(b) Establishment of a research centre.

**9. Research**

The Commission shall conduct such research, receive and take such statement and consider such documents as it deems necessary for the purpose of achieving its goals.

**10. Events**

There are three essential events components to the Truth and Reconciliation Commission: National Events, Community Events and Individual Statement0Taking/Truth Sharing. The Truth and Reconciliation process will be concluded with a final Closing Ceremony.

**(A) National Events**

The national events are a mechanism through which the truth and reconciliation process will engage the Canadian public and provide education about the IRS system, the experience of former students and their families, and the ongoing legacies of the institutions.

The Commission shall fund and host seven national events in different regions across the country for the purpose of:

(a) sharing information with/from the communities;

(b) supporting and facilitation the self-empowerment of former IRS students and those affected by the IRS legacy;

(c) providing a context and meaning for the Common Experience Payment;

(d) engaging and educating the public through mass communications;

(e) otherwise achieving its goal.

The Commission shall, in designing the events, include in its consideration the history and demographics of the IRS system.

***National events should include the following common components:***

(f) an opportunity for a sample number of former students and families to share their experiences;

(g) an opportunity for some communities in the regions to share their experiences as they relate to the impacts on communities and to share insights from their community reconciliation processes;

(h) an opportunity for participation and sharing of information and knowledge among former students, their families, communities, experts, church and government officials, institutions and the Canadian public;

(i) ceremonial transfer of knowledge through the passing of individual statement transcripts or community reports/statements. The Commission shall recognize that ownership over IRS experience rests with those affected by the Indian Residential School legacy;

(j) analysis of the short and long term legacy of the IRS system on individuals, communities, groups, institutions and Canadian society including the intergenerational impacts of the IRS system;

(k) participation of high level government and church officials;

(l) health supports and trauma experts during and after the ceremony for all participants.

**(B) Community Events**

It is intended that the community events will be designed by communities and respond to the needs of the former students, their families and those affected by the IRS legacy including the special needs of those communities where Indian Residential Schools were located.

The Community events are for the purpose of:

(a) acknowledging the capacity of communities to develop reconciliation practices;

(b) developing collective community narratives about the impact of the IRS system on former students, families and communities;

(c) involving church, former school employees and government officials in the reconciliation process, if requested by communities;

(d) creating a record or statement of community narratives - including truths, insights and recommendations - for use in the historical research and reports, national events, and for inclusion in the research centre;

(e) educating the public and fostering better relationships with local communities;

(f) allowing for the participation from high level government and church officials, if requested by communities;

(g) respecting the goal of witnessing in accordance with Aboriginal principles.

The Commission, during the first stages of the process in consultation with the IRSSC, shall develop the core criteria and values consistent with the Commission's mandate that will guide the community processes.

Within these parameters communities may submit plans for reconciliation processes to the Commission and receive funding for the processes within the limits of the Commission's budgetary capacity.

**(C) Individual Statement-Taking/Truth Sharing**

The commission shall coordinate the collection of individual statements by written, electronic or other appropriate means. Notwithstanding the five year mandate, anyone affected by the IRS legacy will be permitted to file a personal statement in the research centre with no time limitation.

The Commission shall provide a safe, supportive and sensitive environment for individual statement-taking/truth sharing.

The Commission shall not use or permit access to an individual's statement made in any Commission processes, except with the express consent of the individual.

**(D) Closing Ceremony**

The Commission shall hold a closing ceremony at the end of its mandate to recognize the significance of all events over the life of the Commission. The closing ceremony shall have the participation of high level church and government officials.

**11. Access to Relevant Information**

In order to ensure the efficacy of the truth and reconciliation process, Canada and the Churches will provide all relevant documents in their possession or control to

and for the use of the Truth and Reconciliation Commission, subject to the privacy interests of an individual as provided by applicable privacy legislation, and subject to and in compliance with applicable privacy and access to information legislation, and except for those documents for which solicitor-clients privilege applies and is asserted.

In cases where privacy interests of an individual exist, and subject to and in compliance with applicable privacy legislation and access to information legislation, researchers for the Commission shall have access to the documents, provided privacy is protected. In cases where solicitor-clients privilege is asserted, the asserting party will provide a list of all documents for which the privilege is claimed.

Canada and the Churches are not required to give up possession of their original documents to the Commission. They are required to compile all relevant documents in an organized manner for review by the Commission and to provide access to their archives for the Commission to carry out its mandate. Provision of documents does not require provision of original documents. Originals or true copies may be provided or originals may be provided temporarily for copying purposes if the original documents are not to be housed with the Commission.

Insofar as agreed to by the individuals affected and as permitted by process requirements, information from the Independent Assessment Process (IAP), existing litigation and Dispute Resolution processes may be transferred to the Commission for research and archiving purposes.

**12. National Research Centre**

A research centre shall be established, in a manner and to the extent that the Commission's budget makes possible. It shall be accessible to former students, their families and communities, the general public, researchers and educators who wish to include this historic material in curricula.

For the duration of the term of its mandate, the Commission shall ensure that all materials created or received pursuant to this mandate shall be preserved and archived with a purpose and tradition in keeping with the objectives and spirit of the Commission's work.

The Commission shall use such methods and engage in such partnerships with experts, such as Library and Archive Canada, as are necessary to preserve and maintain the materials and documents. To the extent feasible and taking into account the relevant law and any recommendations by the Commission concerning the continued confidentiality of record, all materials collected through this process should be accessible to the public.

**13. Privacy**

The Commission shall respect privacy laws, and the confidentiality concerns of participants. For greater certainty:

(a) any involvement in public events shall be voluntary;

(b) notwithstanding 2(i), the national events shall be public or in special circumstances, at the discretion of the Commissioners, information may be taken in camera;

(c) the community events shall be private or public, depending upon the design provided by the community;

(d) if an individual requests that a statement be taken privately, the Commission shall accommodate;

(e) documents shall be archived in accordance with legislation.

## 14. Budget and Resources

The Commission shall prepare a budget within the first three months of its mandate and submit it to the Minister of Indian Residential Schools Resolution Canada for approval. Upon approval of its budget, it will have full authority to make decisions on spending, within the limits of, and in accordance with, its Mandate, its establishing Order in Council, Treasury Board policies, available funds, and its budgetary capacity.

The Commission shall ensure that there are sufficient resources allocated to the community events over the five year period. The Commission shall also ensure that a portion of the budget is set aside for individual statement-taking/truth sharing and to archive the Commission's record and information.

Institutional parties shall bear the cost of participation and attendance in Commission events and community events, as well as provision of documents. If requested by the party providing the documents, the costs of copying, scanning, digitalizing, or other reproducing the documents will be borne by the Commission.

# APPENDIX 12

# SCHEDULE "M"

Schedule M – Healing

**3.02 Healing Funding**

On the Implementation Date Canada will transfer one hundred and twenty-five million dollars ($125,000,000.00) as an endowment for a five year period to the Aboriginal Healing Foundation in accordance with Article Eight (8) of this Agreement. After the Implementation Date the only obligations and liabilities of Canada with respect to healing funding are those set out in this Agreement.

# APPENDIX 13 Residential Schools in Canada