



Truth and Reconciliation Commission of Canada
“For the child taken, for the parent left behind”

9th Session of the United Nations Permanent Forum on Indigenous
Issues

Speech by Chairperson,
The Honourable Justice Murray Sinclair

April 27, 2010
United Nations, New York

Your Excellencies, expert members of the Permanent Forum, distinguished elders, ladies and gentlemen. Our delegation wishes to begin by thanking and honouring the Haudenosaunee, the traditional caretakers of these territories.

I am Justice Murray Sinclair, Chairperson of the Truth and Reconciliation Commission of Canada. I am here with my fellow Commissioners Marie Wilson and Chief Wilton Littlechild representing Canada's Truth Commission.

Nous sommes reconnaissants d'avoir l'occasion d'être avec vous aujourd'hui pour cette importante rencontre. (We appreciate the opportunity to meet with you on this important occasion.)

We are here to talk to you today about Canada's experience with boarding schools – or residential schools as we call them. We are here to talk about shaping who we are as individuals, as communities, as cultures, and as nations. We are also going to talk about the role that the international community can play in the outcome of those issues.

Truth Commissions have functioned with varying degrees of success, around the world for many years. Those Commissions have come about primarily, because an act or policy of a government caused significant harm to its people, and such harm had to be acknowledged and addressed.

Canada has experienced such harm for more than 150 years. During that time, Canada enforced a racist policy of assimilation against Indigenous Peoples through the use of boarding schools. The belief was that Indigenous Peoples were inferior and uncivilized and with the assistance of Church organizations, they could be Christianized, and therefore become civilized and equal.

The Canadian government stated early on, that, through their policy of assimilation, within a century, Indian people would cease to exist.

The Government targeted children - the most vulnerable. Schools became the government's vehicle to enforce this process. The thinking of the day was to "Kill the Indian in the Child" so that within a few generations, Indigenous cultures, beliefs, languages, and distinct identities would be extinguished.

For roughly seven generations nearly every Indigenous child in Canada was sent to a residential school. They were taken from their families, tribes and communities, and forced to live in those institutions of assimilation.

The results while unintended have been devastating. We witness it first in the loss of Indigenous languages and traditional beliefs. We see it more tragically in the loss of parenting skills, and, ironically, in unacceptably poor education results. We see the despair that results in runaway rates of suicide, family violence, substance abuse, high rates of incarceration, street gang influence, child welfare apprehensions, homelessness, poverty, and family breakdowns.

Yet while the government achieved such unintended devastation, it failed in its intended result. Indians never assimilated.

Avant même la fermeture du dernier pensionnat indien au milieu des années 1990, on a pu clairement observer un résultat très important. (By the time the last school closed in the mid 1990's, one very important result had become clear.)

La politique avait échoué. (The policy had failed.) La culture, les traditions et les langues autochtones ont subsisté; elles avaient été endommagées et, dans certains cas, gravement; mais elles sont bel et bien vivantes.

(Indigenous cultures, traditions, and languages, have survived. They have been damaged, in many cases badly so, but they are still very much alive.)

Through it all, Indigenous parents and communities had resisted, as best they could, the policy of assimilation and the laws that enforced it. To overcome that resistance, Canada had passed laws that denied Indigenous people the right to vote so they could not influence lawmakers and the laws they made. It created a pass system to control their movement; it declared their traditional ceremonies illegal; it prohibited them from gathering in groups so they could not organize protests, and it made it illegal for them or others to raise money to hire lawyers to take legal action.

Prior to the schools, Indigenous communities and parents had welcomed Europeans to Canada and had shared the natural gifts of the country with them.

They accepted that Europeans had much to offer such as education, in the ways of the world, and literacy. They wanted their children to have those skills and knowledge. In Western Canada, Treaties were signed, and in those treaties, schools were to be provided.

But the government implementation of the “schools clause” came with a terrible price. Children were taken forcibly and placed into schools far away from the reserves where the government had promised they would be. In many cases, Indigenous students were subjected to terrible abuse. Hundreds, if not thousands, of them, died in the schools. Parents were not told the full extent of what was happening to their children. Visiting children at the schools was discouraged and in many places not permitted. Loneliness and fear were the indigenous students’ constant companions.

In light of its growing failure, and with the dawning of an awareness of what human rights should look like after the Second World War, Canada gradually restored basic human rights to Indigenous people. The pass system; prohibitions on ceremonies; the denial of access to the courts and the denial of the right to vote, all fell away. Beginning in the 1970’s, the residential schools era slowly ended with the last residential school closing in 1996. But a great wrong had been done and the damaged and injured survivors of those schools sought redress through an increasingly enlightened Canadian court system.

Canada and the churches were sued. Individuals were prosecuted for their crimes and, in some cases, finally held to account. But it was soon obvious that a court solution would take too long, be too expensive, and would impose more harm on former students, many of whom were quite elderly.

In 2007, the survivors, the Government and the Churches negotiated a court approved settlement rather than continue fighting through litigation.

The Truth and Reconciliation Commission of Canada was a condition of that settlement. The Settlement Agreement created it. It exists because the survivors wanted it. They agreed to set aside \$60 million of their compensation fund for the Commission's purposes. The Commission functions with survivor money. Unlike others, it is not a government imposed solution.

It is to the courts and the parties of that agreement that the TRC is accountable.

The TRC is not here to lay blame, or to determine guilt. We cannot compel testimony or grant immunity. We do not decide compensation. There are others who do that.

We are here to determine our future as a nation. Our first obligation is to show the true and complete story of residential schools.

The history of residential schools is likely the least known dimension of Canadian history. It is not taught in our schools. It is not commemorated anywhere in our country or in our national capital. The 150 year history of residential schools has not been made a part of our national memory. It has been ignored or, worse, dismissed.

What is known however to most Canadians is the present legacy: that Indigenous Peoples in Canada do not have the same standard of life that is enjoyed by mainstream Canada. They easily fall into the trap of blaming Indigenous people for the conditions in which they live and for failing to address their problems adequately. That blaming leads inevitably to disrespect. That disrespect however also comes from the many generations of public policy founded on the view that white Euro-Canadians were superior, a view supported by law and taught in schools to Indigenous and non-Indigenous student alike.

Mainstream Canada sees the dysfunction of Indigenous communities, but have no idea how that happened, what caused it, or how government contributed to that reality through the residential school policy. They do not realize that just as Indigenous children were taught that they were inferior, so were non-Indigenous children. They do not realize that for the non-Indigenous child, this teaching had an insidious aspect – it reinforced a false belief in their own superiority. This too must be addressed. Most Canadians do not realize therefore that for there to be true reconciliation, they must be part of the solution.

Education, delivered through residential schools, was the tool for assimilation. It was education that helped to perpetuate the situation we see today for Indigenous Peoples in Canada.

We at the TRC believe that it will be education, again, that will be the tool that best addresses all of that, for education will create knowledge and from knowledge will come understanding. From understanding will come respect – both self respect for Indigenous people and mutual respect for all.

We are determined to tell all of Canada, and the people of the world, that history. We will do that through gathering and revealing the experiences of those who attended the schools; worked at the schools; or had any role in the operation of the schools.

We, through our Commission, will gather statements from all of those individuals and their children, who wish to tell us how that experience impacted them. And we will make that information available to everyone.

That history is something that we all must teach our children and grandchildren. That history must be offered in classrooms across the country. We call for these things so that in a few generations, in place of disruption, dysfunction and disrespect, we will see a Canada where the relationship between Indigenous Canadians and non-Indigenous Canadians is founded on mutual respect.

But there is an aspect of respect that is fundamentally important. We, at the Commission, are aware of the degree to which the intergenerational survivors, the current children and grandchildren of survivors, hunger for more than just knowing why. We know that they also hunger for a proper sense of self. The need to assist current and future generations of Indigenous youth to find their place and purpose through cultural and language revitalization is quite apparent. Indigenous children are much more than the colour of their skin, they are the products of their community and they have the right to know what that community is.

They have the right to know where they have come from, where they are going, why they are here and who they are. The answers to such questions of life are not found in books. They are found in the experience of one's relationship with family and with friends, and in the teachings of the community to which you feel you belong. Non-Indigenous youth by and large have that. Indigenous youth do not. We see therefore that in order for there to be mutual respect, for indigenous youth, there must also be a process to help them achieve self respect. It is an aspect of the reconciliation component of our mandate that we take very seriously.

Our work is just beginning. In a few short weeks, we will meet at our first National Event with residential school survivors and others who will provide statements to us. Many of these individuals will speak of their experiences for the first time. The rest of Canada will be invited to come and listen and speak of what they need to say as well.

The international community has something to contribute to this process. We invite you all to participate with us and bear witness to our activities. We also would like to propose that the United Nations Permanent Forum sponsor an International Roundtable on truth commissions to be spearheaded by the Truth and Reconciliation Commission of Canada, within the next two years. At that Roundtable, we would propose to discuss how truth commissions should impact the lives of the Indigenous peoples of the World. We would also propose to discuss how truth commissions have contributed to the advancement of the United Nations Declaration on the Rights of Indigenous Peoples.

We close by observing that things are changing dramatically. We point to and acknowledge the Government of New Zealand for its announcement last week that it will adopt the United Nations Declaration on the Rights of Indigenous Peoples.

We point to and acknowledge the statement by the representative of the United States of that country's willingness to review its opposition to the Declaration and to consult its Indigenous Peoples as it does so.

We point to and acknowledge that this year the Government of Canada stated with respect to the Declaration at the start of its current parliamentary session, that it will “*take steps to endorse this aspirational document in a manner fully consistent with Canada’s Constitution and laws.*” Nous sommes ravis de cette déclaration d'intention et attendons avec impatience le jour où elle sera mise en œuvre. (We welcome that statement of intent and look forward to the day it is implemented.)

The TRC encourages the establishment of an “International Decade of Reconciliation” and calls upon the members of the United Nations Permanent Forum to support this initiative. A year to reconcile such things is not enough. Five years is not enough. A decade is only a start.

Finally, the Special Rapporteur on Indigenous Peoples can count on our cooperation for any work by our Commission that the UN wishes to examine within Canada.

Nous nous réjouissons à l’avance, mes collègues commissaires et moi-même, de poursuivre nos consultations avec vous dans les jours à venir. (My fellow Commissioners and I look forward to continuing our discussion with you in the time to come.)

Everyone is invited to remain in this room following this presentation for our side event where we will be discussing the work of our Commission in greater detail. Thank you, merci.