

HEAR OUR VOICE



Report on a National Forum on Reconciliation -
Marking the 20th Anniversary of the Royal Commission
on Aboriginal Peoples

November 2016, Winnipeg, Manitoba



*We lost
a generation
since RCAP.
We will not
lose this one.*

Introduction

Just over a year ago, the Truth and Reconciliation Commission of Canada (TRC) and its 94 calls to action implored everyone in Canada to confront the legacy of residential schools and undertake sweeping reforms to build understanding and healing and forge a new relationship between Indigenous people and Canadians.

Canada cannot risk getting it wrong this time. Twenty years ago, the Royal Commission on Aboriginal Peoples (RCAP) also released a wealth of information and 440 recommendations at a cost of \$60 million and five years of extensive research, testimony, consultation and deliberation.



Many of the RCAP recommendations are mirrored by the TRC and indeed the TRC Commissioners attest to the foundational importance of the RCAP analysis. Yet the RCAP recommendations were largely ignored at the time, considered too radical and difficult to implement.

With this rare second chance presented by the TRC, it is important to examine the lessons of RCAP - still the most extensive and ethically-based research program aimed at better understanding the history and lived experience of First Nations, Metis and Inuit peoples in Canada.

Recognizing the opportunity offered by the TRC report and the work done by RCAP, a group of volunteers comprised of RCAP alumni, representatives of national Indigenous organizations, members of key civil society organization and academics convened in 2015 to consider how to mark the 20th anniversary of the Royal Commission and build momentum going forward from the TRC.

As a result, committed people from major sectors of society in Canada convened at a national forum in Winnipeg in November 2016 to determine how the lessons learned from the previous 20 years can inform the reconciliation process as we build a new

relationship and close the alarming gap in life circumstances between Indigenous people and Canadians.

The conference attracted national Indigenous leaders, the Minister of Indigenous and Northern Affairs, senior public servants, municipal leaders, leaders of non-profit organizations, TRC and RCAP members, university executives, academics, researchers and, most importantly, youth leaders.

Youth figured prominently in the proceedings, holding their own sessions and actively engaging in the plenaries. The forum's recommendations are intended to improve the prospects of this generation and those who follow.

Participants engaged in three days of activities ranging from keynote addresses and panels to honouring ceremonies and breakout sessions. One of the highlights was an announcement by Library and Archives Canada that the complete information legacy of the Royal Commission on Aboriginal Peoples would be available on its website.

Along with continuing dialogue, a number of lasting resources have emerged from the forum. These include the conference web pages, with edited videos of the plenaries, which will be transferred to the National Centre for Truth and Reconciliation website. Steps are being taken as well to prepare an edited book and e-book of conference papers.

This document provides an overview of the key messages from the RCAP national forum. It

serves as a practical guide to moving forward now – capturing the momentum for change that has been building since RCAP and making its vision, and that of the TRC, a reality. It will discuss top priorities for policy change and principles for implementation before coming to conclusions about the path forward in an effort to inform governments, policy-makers and civil society organizations.

The overarching conclusion from the forum is that we have lost a generation since RCAP and we must be determined not to lose this one. Some of the proceedings that led to this message, and some of the ideas for positive change that emerged, may not be immediately comfortable for all. Nonetheless, forum participants worked from a wide and deep background of observation and direct experience. Their goal is to bring about a new relationship between First Nations, Metis and Inuit peoples and Canada that makes this land better for everyone.

If you are in a position to make a difference, whether as a politician, educator, community worker or student, this report will, hopefully, help you to address these important issues. Whatever sphere of influence is available to you – the time to act is now.

OUR STARTING POINT: RCAP's Four Guiding Principles



The Royal Commission on Aboriginal Peoples urged Canadians to begin a national process of reconciliation that would set the country on a bold new path, fundamentally changing the foundation of Canada's relationship with Indigenous peoples.

It gave an authoritative voice to a new interpretation of Canadian history and asked a fundamental question: What is the necessary foundation to permit the just completion of Confederation?

RCAP set out a vision and an ambitious, detailed plan. But the underlying theme was consistent – achieving self-determination and self-reliance for Indigenous peoples to better their lives and improve relationships within Canada was the foundation of a new approach.

“If one theme dominates,” said the report, “it is that Aboriginal peoples must have room to exercise their autonomy and structure their own solutions.” *Report of the Royal Commission on Aboriginal Peoples, Volume 5, Renewal: A Twenty-Year Commitment*

RCAP noted that Indigenous sovereignty is recognized and given effect by decades of formal alliances and treaties. The right of self-determination flows from this sovereignty, said the report, along with exercising the constitutional right of self-government.

Fifty-four of RCAP's 440 recommendations deal with governance alone – matters of the Constitution and parliament, legal frameworks, jurisdictional arrangements, machinery of government, financing and other structural issues.

And while few were implemented, there is no doubt that RCAP changed the conversation. It was part of the foundation and impetus for change that has continued to grow. While governments may have been reluctant to embrace the full range of the RCAP recommendations, Indigenous governments, communities and organizations have built upon them – leading to the very real possibility of a redefined relationship consistent with the original vision.

Conference participants supported RCAP's four guiding principles as a basis for a renewed relationship, agreeing that they are just as relevant today for all parties in the relationship, be they governments, civil society organizations, corporations or individuals. Because of this, they bear repeating.

1. Recognition

There is a vital need to start from the premise that Indigenous peoples have been systematically considering these important issues and that public discourse has not incorporated Indigenous knowledge and thought respectfully. Canadians must rebalance the discourse to recognize the knowledge of Indigenous peoples.

“The principle of mutual recognition calls on non-Aboriginal Canadians to recognize that Indigenous people are the original inhabitants and caretakers of this land and have distinctive rights and responsibilities flowing from that status. It calls on Aboriginal people to accept that non-Aboriginal people are also of this land now, by birth and by adoption, with strong ties of love and loyalty. It requires both sides to acknowledge and relate to one another as partners, respecting each other's laws and institutions and co-operating for mutual benefit.” *People to People, Nation to Nation: Highlights from the Report of the Royal Commission on Aboriginal Peoples*

2. Respect

Respect among peoples requires the ability “to look again” - to open our eyes to a new way of seeing and take a holistic approach to living in harmony – with courtesy, consideration and esteem.

Respect means that we act towards each other in ways that enhance our dignity as human beings living on a shared land. Respect means listening, learning and striving to understand each other and to find ways to live well together. Respect means that we should place ourselves in the lives of others and work to improve their lives; in doing so, we enhance our own.

“The principle of respect calls upon all Canadians to create a climate of positive mutual regard between and among peoples. Respect provides a bulwark against attempts by one partner to dominate or rule over another. Respect for the unique rights and status of First Peoples, and for each Aboriginal person as an individual with a valuable culture and heritage, needs to become part of Canada's national character. *People to People, Nation to Nation: Highlights from the Report of the Royal Commission on Aboriginal Peoples*

3. Sharing

Creating harmonious social relationships through sharing is important. But so too is righting the imbalance of resource distribution. Non-Indigenous Canadians benefit greatly from the status quo. Government revenues from treaty and traditional lands are very substantial, as noted at the forum.

A common refrain: "We are all treaty peoples," meaning we must acknowledge our reciprocal relationships and equitably share the benefits of Canada's lands and resources.

"The principle of sharing calls for the giving and receiving of benefits in fair measure. It is the basis on which Canada was founded, for if Aboriginal peoples had been unwilling to share what they had and what they knew about the land, many of the newcomers would not have lived to prosper. The principle of sharing is central to the treaties and central to the possibility of real equality among the peoples of Canada in the future." *People to People, Nation to Nation: Highlights from the Report of the Royal Commission on Aboriginal Peoples*

4. Responsibility

Partners have a duty to act responsibly toward one another and the shared lands between them, leading to a transformation of what has been a colonial relationship into one of true partnership.

"Responsibility is the hallmark of a mature relationship. Partners in such a relationship must be accountable for the promises they have made, accountable for behaving honorably, and accountable for the impact of their actions on the well-being of the other. Because we do and always will share the land, the best interests of the Aboriginal and non-Aboriginal people will be served if we act with the highest standards of responsibility, honesty and good faith toward one another." *People to People, Nation to Nation Highlights from the Report of the Royal Commission on Aboriginal Peoples*



Priorities for Policy Action

Just as Indigenous youth were centrally involved in the forum's plenaries and working groups (and held their own session), they must be at the centre of all priorities for policy action.

Youth who participated in the forum expressed interest in using existing programs and institutions to engage, in addition to being active outside current structures. Their advice to other youth: Ask to participate and crash the party.

Forum participants in general agreed on three priorities for action - the need to develop new institutions, a sustained commitment to foster vibrant communities, and a multi-faceted commitment to education.

There was overwhelming consensus that Indigenous peoples must set their own agenda, assuming responsibility and control of new ways to engage while they address issues in their communities by means they have developed. This does not imply that others should disengage.

Presentations by leaders of national Indigenous organizations made it clear that the Assembly of First Nations, Metis National Council and Inuit Tapiriit Kanatami have concrete and distinct proposals regarding how to move forward in structuring the new relationship with Canada.

Using their respective ideas about the way forward as a starting point is consistent with the RCAP view that Indigenous peoples have the lead role in structuring their own solutions.

In short - no more ignorant benevolence, said Natan Obed, president of the Inuit Tapiriit Kanatami.

"We are not ethnic minorities," said Perry Bellegarde, chief of the Assembly of First Nations, but "Indigenous people with a right to self-determination."

In a paper for the conference, *Sharing the Land, Sharing a Future: A Nation-to-Nation Relationship*, Mark Dockstator and Jennifer

Dockstator investigated two First Nations concepts as a starting point for a new relationship - the Two-Row Wampum and the Medicine Circle.

The underlying concept of the Two Row Wampum belt emphasizes the distinct identity of two peoples directing their own paths but engaged in a mutual relationship guided by ideals of peace, friendship and mutual respect. Departure from those ideals has resulted in gross inequalities that undermine the relationship.

The Medicine Circle provides a way to bring Indigenous and Canadian perspectives together to analyze and discuss the relationship and find new ways to balance them in the spirit of reconciliation. The Medicine Circle using values of

distinctiveness, inclusivity and respect, ensures that Indigenous perspectives, long ignored, are considered equally.

Understanding these two concepts and guided by the precepts of a new relationship as set out by RCAP, the leaders of all national Indigenous organizations and the minister of Indigenous and Northern Affairs who were in attendance at the forum, participants identified and elaborated on their three priorities for action.

“ We are not ethnic minorities, but Indigenous people with a right to self-determination. ”

Perry Bellegarde,
chief of the Assembly of First Nations

1. Develop New Institutions

RCAP recommended a new Royal Proclamation stating Canada's commitment to a new relationship and companion legislation setting out a treaty process and recognition of Aboriginal nations and governments.

It proposed an Aboriginal order of government subject to the Charter of Rights and Freedoms with authority over matters related to the good government and welfare of Aboriginal peoples and their territories.

It also recommended replacing the federal department with two departments – one concerned with the relationship with Aboriginal nations and one to provide services for non-self-governing communities.

Metis self-government would also be recognized and a land base provided, along with rights to hunt and fish on Crown land.

It remains unclear what that framework will look like. But there can be no doubt that reformatting nation to nation and nation to Crown relationships will require vast institutional changes to federal structures and new Indigenous-designed institutions to reflect and support it.

“We know what is needed is a total renewal of the relationship between Canada and Indigenous peoples,” the prime minister said in response to the final TRC report in 2015. (Statement by the Prime Minister on release of the Final Report of the Truth and Reconciliation Commission, Dec 15, 2015)

The concept of nation to nation and nation to Crown relationships has gained momentum and remains a foundation for the future. However, pollster Michael Adams, founding president of Environics Research Group, pointed out that while there is growing support among Canadians for closing the gap in benefits and life circumstances of Indigenous peoples and Canadians, the same enthusiasm is not reflected in surveys about major institutional change.



Replacing Indigenous and Northern Affairs Canada (previously Indian Affairs) was at the top of the priority list for the conference, given the central role of the department and the Indian Act in policy that resulted in marginalizing Indigenous peoples and dispossession from their traditional lands.

Despite recent progress on treaty rights, the Crown still determines policy priorities, program criteria, funding levels and operational requirements of band administrations.

Yet there is no doubt that the power balance has been shifting toward Indigenous self-government, especially after specific and comprehensive land claims initiated by the 1973 Supreme Court of Canada landmark case, *Calder v. British Columbia*, and court proceedings to clarify Section 35 of the 1982 Constitution, which acknowledged existing Aboriginal and treaty rights but failed to create consensus on the practical meaning of those provisions.

When RCAP began its work in 1991, just three comprehensive land claims had been negotiated and only one self-government deal had been reached. There are now 32 agreements being implemented for land settlements, self-government or both. And there are 99 open negotiation tables, over half in British Columbia.

First Nations are using other means to become self-determining, including the negotiation of sectoral or self-government agreements and collecting property taxes to support economic growth.

In a paper entitled *Completing Confederation: The Necessary Foundation* – authors Frances Abele, Erin Alexiuk, Satsan (Herb George) Wet'suwet'en and Catherine MacQuarrie, argue that First Nations need to learn to master the Indian Act in the sense of seizing jurisdiction and demanding appropriate resources.

Communities face the struggle of re-engaging people robbed of a sense of agency by the colonial experience. Their problem-solving should be driven by themselves and the federal government and provinces should take supporting roles as they embark on their own critical self-examination of where their policies and actions hinder progress for Indigenous people.

Forum participants noted that a sound and just institutional foundation for the relationship may reduce the need for short-term and conditional programs that are intended to remediate crises and gaps.

Continued reliance on programs in preference to institution building was seen as problematic.

2. Foster Vibrant Communities

There are many vibrant First Nations, Metis and Inuit communities, including in cities, across Canada.

But there are many others where life expectancy is lower. Illness is more common and social problems, from violence to alcohol abuse, occur more often. Indigenous communities tend to have fewer high school graduates or university and college students. Homes are often in poor repair. Water and sanitation systems are sometimes inadequate. Joblessness is more common. Indigenous people tend to spend more time in jail and prisons than Canadians.

It is common to describe these conditions as poverty. Yet it is important to understand that First Nations, Metis and Inuit communities with these characteristics have many strengths and often do not consider themselves “impoverished” given their relationship to the land and cultural traditions. Further, they do not always see changes that mimic elements of Canadian society as relevant or positive. The common phrase “closing the gap” between



the conditions of Indigenous people and other communities in Canada should be guided by the principle of equity – fairness – rather than equality or sameness.

There was consensus at the forum that the challenge is developing a long-term framework that recognizes the distinct issues faced by communities, provides sustained support for community-driven priorities, and enables communities to share what they have learned with one another.

We are not without models.

The Kelowna Accord, announced in November 2005, was the result of an 18-month consultative process that involved the federal government, provincial and territorial governments, and five national Indigenous organizations. Its purpose was to close the gap between the Indigenous and non-Indigenous standard of living in Canada.

The accord was a 10-year plan, including a \$5-billion commitment over five years, aimed at significantly improving health, education, housing and infrastructure, economic opportunities, accountability, and relationships between Aboriginal communities and the federal government.

It was not implemented.

Obed, who was part of the Kelowna process, said amnesia afflicts all governments, including Indigenous ones, and it is too easy for cumulative efforts to be wiped out by incoming governments with different views.

Now it is a decade later.

Today, the Kelowna Accord still provides an important model, in particular the inclusive nature of its process and the fact that all parties to the accord made specific commitments to enable the achievement of its goals.

The Yukon agreement is another model. It elucidates transforming service delivery so that it is more effective and, like the Kelowna Accord, it assigned responsibility to all parties to meet set benchmarks.

The First Nations-Canada Joint Committee on the Fiscal Relationship, created in July 2016, has been quietly figuring out how to change Ottawa's transfers of billions of dollars to the country's 634 First Nations. The committee has until Dec. 31, 2017 to create a one-stop shop for First Nations rather than the complicated existing fiscal arrangements they have with as many as five federal departments and many different funding programs. It was cited at the forum as a current initiative with potential.

For Francyn Joe, interim president of the Native Women's Association of Canada, high levels of violence and gender discrimination need to be considered a high priority and not considered only within the frame of family issues

The potential contribution of the inquiry into missing and murdered Aboriginal women was noted. Its mandate includes making recommendations on removing systemic causes of violence and increasing safety for Indigenous women and girls, as well as honouring those who have been killed or gone missing.

Conference participants also emphasized the importance of entrepreneurial support for local Indigenous businesses as a proactive way of combatting joblessness and empowering youth.

3. Education

Two areas of education stood out during the forum – for non-Indigenous Canadians and for Indigenous Canadians. As to the first group, in the 20 years since RCAP, many Canadians have seized on the notion that the Canadian history they learned in school was grossly inadequate and misleading at best.

This momentum needs to be sustained and accelerated. We need to educate ourselves about Indigenous history, including distinctions between various Indigenous groups and their differing challenges, as well as the aspirations of Indigenous peoples.

The question posed by many at the conference: How do we get people to admit what they do not know and learn what they do not know?

It is time to promote the real history of Canada so that non-Indigenous Canadians have with the knowledge required to help forge and support new nation to nation and nation to Crown relationships.

There should be mandatory cultural and history training for public servants, including teachers, police, health-care workers and administrators, as recommended by the TRC, as well as a major national communication campaign that harnesses social media and includes toolkits for businesses and others.

In the classroom, conference participants envisioned a complete overhaul of what children are taught from primary grades through to the end of high school, with a revamp of the curriculum so that it is grounded in and supportive of Indigenous cultures and Indigenous ways of knowing.

Systemic educational change requires increasing the capacity of educators to deal with new knowledge and sensitive issues.

At the college and university level, there was consensus that excellent progress is evident in offerings of Indigenous courses available to all students and many are recruiting Indigenous faculty. Post-secondary institutions should also consider or expand Elder visiting scholar programs.

There was also broad consensus that cultural awareness and understanding should be promoted outside the classroom – through arts organizations, inclusive sports events and other means – events that will help foster familiarity and respect among people of different backgrounds.

But tackling the challenge of educating non-Indigenous Canadians about what they don't know is not the only priority.

Support for the education of Indigenous youth is woefully lacking. The conference called on governments to close the gap between funds received by provincial and Indigenous schools and develop the institutions and funding frameworks to provide Indigenous control over them

It is also critical to ensure that Indigenous students are provided the kinds of arts and sports activities that encourage fun, a sense of accomplishment and pride.

They must be taught in and about their own cultures and languages. Youth who are fluent in their native language are more successful in school. About 60 languages in 12 distinct linguistic groups are native to Canada, but there used to be more than 300. Those remaining are in danger of disappearing as a result of decades of government assimilation strategies. Indigenous languages are not protected under Canadian law and some of money currently earmarked for language preservation goes unspent each year.

A prevailing sentiment at the forum was the need for Indigenous languages legislation. (In December 2016, Prime Minister Justin Trudeau said the federal government would present an Indigenous Languages Act written in consultation with Indigenous leaders but gave no details about what the bill might contain or how much money would support it.)

Conference participants prioritized a holistic approach to childhood education as key to healthy childhood development. As children



are the future, a secure start in life is of paramount importance. The holistic approach envisioned includes an investment in the overall well-being of families, which includes ensuring family supports are in place to address mental, emotional, physical and spiritual needs of parents and children alike.

Who should have the decision-making authority and resources to realize this vision? Indigenous communities on- and off-reserve should have the autonomy to make and implement decisions for childhood education. Support from the government should

take the form of federal recognition of Indigenous government authorities and the transfer from the federal level to Indigenous governments of the requisite resources.

How can this be implemented? Programs such as Aboriginal Head Start in Urban and Northern Communities (AHSUNC) and On-Reserve (AHSOR) are hidden gems that are holistic in nature and require support and promotion. Archibald and Hare's paper for the forum provides essential information for this early childhood

education/development program, as well as others for all other levels of education.

In addition, institutional and policy changes required include, but are not limited to, simplifying bureaucracy in how funds are accessed, providing block funding to First Nation communities, simplifying and streamlining the administrative and reporting burden, and increasing the flexibility First Nations and Indigenous communities are allowed.

Principles for Implementation

Forum participants recognized that RCAP's implementation plan for restructuring the relationship is a practical starting point to think about the way ahead, even 20 years later.

A number of additional core ideas for implementation also emerged from the forum.

The forum addressed the need for Canadians to educate themselves about individual Indigenous nations and communities and their different histories, beliefs, challenges and aspirations.

That diversity must be recognized in all efforts to achieve a new relationship with Indigenous nations – one size does not fit all and programs cannot be imposed that do not reflect the needs and wishes of communities.

Electoral cycles should not determine the success or failure of reconciliation initiatives. Collaborative work must continue throughout and beyond elections.

Institutional change is essential to a positive new relationship, certainly at the federal level and more broadly within the Canadian federation.



The strong view emerged that we must also commit to evaluating our progress, perhaps through the creation of a national council for reconciliation (as announced by the prime minister in December 2016) to help implement the TRC final recommendations.



Conclusion

First Nations, Metis and Inuit participants in *Sharing the Land, Sharing a Future* made it clear that they have diverse, concrete ideas about healing their communities and developing new relationships with non-Indigenous governments.

What is the single most effective thing they need to speed their progress in re-establishing themselves as nations? The first RCAP principle, recognition, captures much of the dialogue at the forum related to this question. As the Commission pointed out, “Mutual recognition has three major facets: equality, co-existence and self-government.” (Report of the Royal Commission on Aboriginal Peoples, Volume 1, Looking Forward Looking Back, Part 3 –Building the Foundation of a Renewed Relationship, Chapter 15 – The Principles of a Renewed Relationship). A decolonized institutional framework for all three Indigenous groups would be a key manifestation of the concept of recognition. For First Nations, it would replace the 19th century Indian Act; for Metis and Inuit, it would require new institutions enshrined in law.



Canadian governments at all levels and other institutions need to listen respectfully to ideas for a new relationship, recognizing that there may be different approaches. Respectful listening is the necessary foundation for achieving a better future that adheres to the four RCAP principles.

Secondly, a commitment to reduce the gap between Indigenous peoples and Canadians to ensure healthier vibrant communities for all Indigenous peoples, and especially the youth who will become tomorrow’s leaders.

If we do not invest in our youth – allowing them to educate us as we help to illuminate their traditional ways and languages and prepare them for the future – we risk losing another generation, and with it, our best chance to advance good relations and develop a shared responsibility for the future.

Third, a commitment to widespread education of Canadians is the only way to eradicate ignorance about Indigenous people - their histories, communities, challenges, aspirations, and beliefs.

Education enables change. Indigenous nationhood is not a threat to Canada. Ignorance is. It should be remembered that Canada was founded on the principle of being a federation with multiple sovereignties.

Recognizing the sovereignties of the First Nations, Inuit and Metis peoples does not violate the Constitution. Recognizing the sovereignties of Indigenous peoples is essential to their continued growth.

In this celebration year of Canada’s 150th anniversary, let’s commit to ensuring that all Canadian children come to know the truth about the country’s history and its rich legacy of Indigenous peoples.

Let’s ensure that they are the first generation of a new equitable, respectful relationship.

If we do that, the next 150 years will look much different.



For More Information:

Visit the conference website at: www.queensu.ca/RCAP20



Access reports and recommendations from the Royal Commission on Aboriginal Peoples at Libraries and Archives Canada: www.bac-lac.gc.ca/eng/discover/aboriginal-heritage/royal-commission-aboriginal-peoples/Pages/introduction.aspx

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