

Residential Schools Update 2004

"The United Church of Canada is committed to working to create a new relationship with Aboriginal peoples that starts in confession for past wrongs and, it is the church's hope, ends in the shared joy of walking together in a healed and renewed creation."

-- from The United Church of Canada Brief to the Royal Commission on Aboriginal Peoples, Nov. 1993

Residential Schools Steering Committee Update (January/February 2004)

Government Dispute Resolution Process

On November 6, 2003, the federal government announced a new dispute resolution process intended to provide a "user-friendly" alternative to litigation for claims related to sexual or physical abuse and wrongful confinement against Canada and church organizations.

Indian Residential Schools Resolution Canada has developed a kit containing an application form and guidebook. Over the past several months, the kit has been distributed to those with current claims (through their lawyers), and to prospective claimants via a Web site (www.irsr-rqpi.gc.ca). The kit also contains information about class actions, support services, and a help desk (1-800-816-7293). "Form fillers" have been trained to assist claimants with the applications.

To the end of February, the government has received about 130 applications, 27 of which are from former students of schools with which the United Church was associated.

Blackwater Appeal

On December 10, 2003, the B.C. Court of Appeal overturned the vicarious liability ruling of the trial judge in the Blackwater case who found Canada 75% and the United Church 25% responsible for harm done at the Alberni Indian Residential School. The Appeal Court, however, found the federal government 100% liable for claims of physical and sexual abuse inflicted at the school. On February 5, 2004, Canada initiated an appeal of the B.C. Court of Appeal to the Supreme Court of Canada.

The decision of the government to go to the Supreme Court means that the legal and financial liability of the United Church will be unsettled for several years. More importantly, it creates uncertainty for claimants as to whether they will receive 100% of the compensation awarded to them through court, out-of-court or Dispute Resolution processes.

To address this uncertainty the United Church is in discussions internally and with Aboriginal groups, ecumenical colleagues, and government officials about an interim working arrangement between the United Church and Canada with respect to claims filed against them by former students of Indian residential schools. The arrangement would ensure that claimants would receive 100% of settlements and that work would move ahead on a broader healing agenda while the Supreme Court hears and decides on the appeal.

For several years Aboriginal individuals and groups, supported by voices within the churches have been calling for a comprehensive healing and resolution strategy, one which could deal with a wider spectrum of harms done and respond holistically to the full range of survivor needs. Former students of residential schools need opportunities to speak about the full and ongoing impact of the residential school system on their lives, their families and their communities. Emotional, cultural, psychological, and spiritual needs must be addressed through processes that make sense to survivors and allow room

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for ritual, symbol, apology, ceremony, commemoration, story-telling, education and restitution, among other things.

Critical to recovery and healing are processes that support re-empowerment and liberation. In the settlement process to date, the parameters have largely been set by the defendants and the courts in terms of causes of action and scale of compensation. A broader healing agenda must provide opportunities for the victims to define for themselves the agenda and the processes of recovery, to name for themselves how their lives have been affected, and to identify what it is that they need for recovery, including what they need from the churches and governments. Healing requires an equalization of voice and power, a recovery of the sense of dignity and control that is lost in the victimization. Those who have committed the harm must be willing to listen and respond to the needs identified by those who have been harmed.

The need for healing extends to the non-aboriginal community as well. The broader healing agenda could provide opportunities for all Canadians to confront the impacts of racism and colonialism, to learn more about the history and legacy of the Indian residential school system, and to participate in collaborative healing and community-building processes that will provide a foundation for a new relationship of mutual respect between Aboriginal and non-Aboriginal peoples.

Yellowhead Presbytery Event: “Towards New Relationships with First Nations Peoples”

Imagine 40 people from all walks of life and a variety of cultural backgrounds (12 with First Nations heritage), from Hobbema to Saddle Lake, from Slave Lake to Edson, from Leduc to Fort McMurray sitting in one of four circles in the Athabasca United Church. Alice Baron of Athabasca graciously had prayerfully led us in a smudging ceremony to prepare us to be open the Great Spirit and to each other. Floyd Steinhauer of Goodfish Lake had explained the strengths and colours of the four directions that were represented by candles set in a circle on a table in the sanctuary. He also reminded us of the angels that are sent to us to guide our thinking, our seeing, our hearing, our speaking, and our acting from the heart. Hosts for the day, Cecile Fausak and Bruce Jackson, also led in prayer, explaining the use of the talking stick in the circles, and reviewing the dehumanizing assumptions about First Nations peoples and their cultures that comprised the doctrine of assimilation (from *Mandate*, p.10, Feb. 2003) which has led to much brokenness, pain and separation, and our need for healing today.

In the afternoon circles, whoever held a talking stick or feather or stone, spoke from the heart about their experiences of meeting people from the other culture, and about their knowledge of Native residential schools. In each circle, there was at least one survivor of a residential school. The circles nurtured respect and safety, and created an unhurried sense of time. For many, this was the first occasion they had personally heard a survivor tell some of their story. It was not easy listening. A long break followed to give people a chance to walk to the hills on a beautiful day, visit the Athabasca Native Friendship Centre, to talk some more, to take quiet time, or perhaps to peruse a handout on how the power of lament to move us beyond denial and guilt.

Before supper we gathered to sing, to pray some psalms of personal and communal lament, including a modern contextualized version of Psalm 137, “By the river Athabasca, we sat down and wept when we remembered....” (from p.17, [*Toward Justice and Right Relationship: A Beginning: a resource for congregations*](#), The United Church of Canada). We also watched a video clip featuring former Moderator Stan McKay as he reflected on lamentation, or sitting in the darkness, and compares this to the church tradition of Lent. Stan identifies that “one of the dilemmas with engaging in reconciliation is that we need to respond from the heart, but we don’t always know how; ultimately, it will only be with God’s grace. Spiritual formation teaches us that we must be in touch with the emotional in order

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to access our spiritual selves. Sometimes that entails sitting in the darkness until we open ourselves to God's light." Before supper, Aujke Binnema of Lac La Biche, led us in a meditation, helping us to connect once again to Mother Earth.

After a feast of moose stroganoff, buffalo roast and sausages, wild rice casserole, and all the trimmings, we entered our sharing circles again. This time, as the talking stick passed to the left, thoughts were offered on "how we respond" and "what's the next step." Not enough can be said about the need to continue to listen to the stories of pain, and to really feel it. There was deep gratitude for the courage that it takes for survivors to share their stories. The church needs to "take responsibility", be persistent and patient in reaching out and understanding, and commit time and resources to this journey of healing "for the sake of the world." For many, the next step is not entirely clear. One elder reminded us to pray to be guided further. Another survivor encouraged us to continue to meet in small circles, even 2-3 people, to continue to build the relationships that were begun today, with the assurance that the circle would get larger and stronger.

Perhaps, one response already, was the presentation of a talking stick to Yellowhead Presbytery (it was made by Thelma Flemmer of the Athabasca United Church) and its use in a circle around the sanctuary at the close of the Presbytery meeting -- never before have so many participated so deeply in the time of theological reflection! We are grateful to First Nations for the gift of the way of the sharing circle. (*Cecile Fausak*)

Apology Feast in Hazelton

On March 20, 2004 The United Church of Canada and the Government of Canada will host a feast in Hazelton, B.C. The purpose of this feast will be twofold.

First, the feast is intended as an opportunity for the survivors involved in the Hazelton Alternate Dispute Resolution process to be welcomed back into their respective houses and into the feast hall traditions of the Gitksan nation.

Second, the feast will also be an opportunity for the United Church and for the government of Canada to offer words of apology to residential school survivors and to the Gitksan nation.

On behalf of the United Church, former Moderator Marion Best (one of the former Moderators commissioned by the 37th General Council in 2000) will deliver the apology of the church. Marion will be accompanied by Brian Thorpe and Jamie Scott representing the General Council, Doug Goodwin and Keith Howard from British Columbia Conference, and Donna Zeigler representing Prince Rupert Presbytery. Local United Church folk have also been invited by the Gitksan nation to attend.

As a part of the preparation for the feast, and with the guidance of two chiefs, Vernon Milton and Jim Angus, representatives of the church and Canada extended invitations to the feast to the Gitksan chiefs in six different communities within the nation. On several occasions the reply to the invitations involved verbal responses from the chiefs, dancing, gift giving and feasting. Most of the process was conducted in Gitksanimax, the language of the Gitksan.

While the feast may be seen by some as the culmination of the Hazelton ADR, it is important to note that for the United Church it represents an important step in a long journey of response to the impact of the residential school system on the Gitksan and other nations. It also represents a commitment on the

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part of the church to the building of a new relationship based on justice seeking and respect between the Gitksan nation and the church.

Morley Expedited Settlement Process

For the past year Canada, the United Church and survivors of the Morley Indian Residential School have been involved in an out-of-court process designed to resolve claims against Canada and the church.

In a traditional litigation process, “discoveries” can take a considerable amount of time and, because of the nature of the questioning, can be quite hard on survivors. The current process is intended to shorten the time of discoveries.

Survivors with their legal counsel and with support from Alberta Native Counselling Services meet with representatives of Canada and the United Church at the Nakota Lodge, a conference centre on the Morley Reserve. Lawyers from Canada ask questions of the survivors in order to hear their experience and establish the nature of their claim. The United Church has chosen to be present to hear these stories but has also chosen not to have legal counsel present.

Through the course of these discoveries the United Church has been represented by Carolyn Pogue, Bill Phipps, Clint Mooney, Brian Thorpe, and Jamie Scott. While we are agreed that the questioning process has been conducted in a generally respectful manner, we are also aware that this process can be intrusive and is quite limited in scope. While there is an opportunity for the church to speak words of acknowledgement and apology after the questioning has ended, there is little other opportunity for interaction. The fact that the process has been shortened and that only claims related to physical and sexual abuse are considered in this process means that very little in the process relates to a holistic understanding of the residential school experience, particularly with regard to issues such as separation from family and loss of language and culture.

The next round of discoveries will be taking place at the end of March. The United Church representatives are planning to take one evening to meet with members of the Morley United Church in the community. It is hoped that a conversation about the broader issues surrounding residential schools and appropriate responses of the United Church will be a part of our time together.

“Public Inquiry” Roundtable

On February 26, sixteen people from both inside and outside the United Church met in Toronto to discuss the need for a public inquiry on Indian residential schools. More than half the participants were Aboriginal. The meeting was in response to the decision of the November GCE to support calls heard at the [38th General Council](#) for the implementation of the Royal Commission on Aboriginal Peoples’ recommendation that a public inquiry be held.

The group discussed a wide range of topics related to “truth-telling” processes. We identified the twin goals of justice for survivors and public awareness. There was agreement that the history and understanding of Indian residential schools is not well known or understood in Canada. Hope was expressed that such an initiative not only provide an opportunity for former students to tell their stories but also educate Canadian society about the reality of the impacts of the residential school system and about ongoing systemic racism. There was also agreement that direct contact with sites and communities where such schools existed needs to be encouraged.

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The group decided to hold a follow up meeting with additional invitees on April 14. The goal of that meeting will be to explore initiatives that could be taken within the United Church (e.g. within communities where there were schools with which the United Church was associated) as well as models for broader collaborative action with church and non-church partners.

Aboriginal Ministries and Justice Consultation

United Church staff and volunteers working on Aboriginal issues had a rare opportunity to meet together for 2½ days at the end of February. The goal was get to know each other and to learn about each other's "piece of the puzzle." The office of the General Council Minister: Racial Relations organized the meeting to look at how we can most effectively co-ordinate and accomplish the different pieces of Aboriginal justice work.

The meeting produced a high degree energy and enthusiasm as well as a stronger sense of "connectedness." A number issues were identified for follow-up including:

- Real property
- The Healing Fund
- The Justice and Reconciliation Fund
- A 2005 national Aboriginal consultation
- Aboriginal theological education concerns
- Use of the UCC Web site and Mandate
- Leadership development
- Support for Aboriginal communities in urban settings
- Communication about UCC work on Indian residential schools.

National Day of Healing and Reconciliation

Canadians are being asked to observe a National Day of Healing and Reconciliation on May 26. It is an attempt to have a national day that acknowledges the history and harm caused by Indian Residential Schools. It is based on Australia's National Sorry Day, proclaimed in 1998 after a Royal Commission into the forced removal of thousands of Aboriginal children from their homes.

Survivors, churches and healing organizations are hopeful that by encouraging communities and congregations to remember this dark history and current challenge for over 90,000 Aboriginal survivors and their communities, increased support will be generated around actions towards healing and reconciliation.

"The National Day of Healing and Reconciliation (NDHR) is an initiative meant to effect healing and reconciliation among all races, creeds, and denominations now residing in Canada. The national NDHR Campaign is hosted by and administered through the Nechi Training, Research and Health Promotions Institute." Its Web site is www.ndhr.ca.

Legacy of Hope Coalition

On September 15, 2003, The Aboriginal Healing Foundation hosted a meeting of Aboriginal and Church organizations concerned about the future of healing work in Canada. They agreed to explore the notion of an expanded coalition that could involve many partners in long term healing support to communities deeply affected by the experience of Indian Residential Schools.

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Following planning meetings over the past six months, there will be a watershed meeting of the Board of the AHF with government, church and national Aboriginal representatives for a two-day meeting in Ottawa on March 28 and 29.

Contacting Us

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Residential Schools Steering Committee Update (March/April 2004)

Government Dispute Resolution Process

Indian Residential Schools Resolution Canada is keeping statistics related to the government's new dispute resolution process. As of April 26, 273 applications have been submitted under this "user-friendly" alternative to litigation for claims related to sexual or physical abuse and wrongful confinement against Canada and church organizations. The United Church has been named in 39 or 16% of those applications.

About 45% of all applications are from claimants who currently are involved in litigation. Litigation will be suspended pending the outcome of the DR process. The number of applications per week averages 11.83.

The United Church is currently involved with officials from IRSRC in developing protocols that will guide our participation in the DR hearings.

Information on the DR process can be found at (www.irsr-rqpi.gc.ca) or call 1-800-816-7293.

General Council Executive

In our January/February issue, we reported on recent developments in the Blackwater court case. As a result of the federal government's announcement on February 9, 2004 that it would seek leave to appeal the decision of the BC Court of Appeal to the Supreme Court of Canada, there remains uncertainty for former students who have unresolved claims as to whether they will receive 100% compensation.

The decision to appeal also creates uncertainty about the legal and financial liability of the United Church.

In responding to this situation, the United Church has been in discussions internally and with Aboriginal groups, ecumenical colleagues and government officials about an interim working arrangement that would ensure that claimants receive 100% of settlements while allowing all parties to move ahead immediately on a broader healing agenda.

The proposal has 3 elements:

- The Government of Canada would pay 100% of compensation to survivors who have filed claims against the Government and the United Church.
- The United Church, together with other churches, would redirect compensation money to a broad healing agenda comprised of projects and vehicles designated through trilateral discussions with Aboriginal, church and government representatives.
- Every dollar redirected by the United Church to the broader healing work would be credited to the Church in the event that the Supreme Court does not uphold the decision on liability of the BC Court of Appeal.

At its recent April 2004 meeting, the Executive of General Council passed a motion affirming the direction taken by the Residential School Steering Committee regarding an interim working arrangement, approving in principle the development of such an arrangement, and authorizing the Sub-Executive to make decisions on the specific elements.

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Any interim working arrangement must be in accord with the Six Principles from the “Building Right Relations” document adopted by the GCE last November.

Christian Island Event

A workshop was held on Christian Island on April 17, 2004 entitled “Residential Schools Legacy: First Steps on a Healing Journey”. It was sponsored by Toronto Conference and was organized by a committee from the Christian Island United Church and from the Conference.

The Chief of the Beausoleil First Nation, Valerie Monague, welcomed visitors to their territory and stayed for the whole day. She gave the group an historical overview of the nation. The day was structured in a worship format (gathering...listening...responding...going forth). The liturgical leader throughout was Betty Lou McNabb, the student supply at Christian Island. One of the community members, Mel King, facilitated the day. Both did an excellent job and the day itself was incredibly well organized.

There were talks given by two survivors. The first speaker had been to four residential schools (Mt. Elgin, Chapleau, Shinwauk and the Mohawk Institute). Her worst experiences were at the Mohawk Institute (the “mush hole”). Both speakers were excellent. While so much of what they said was painfully familiar to many in the room, for some of the non-Aboriginal people in the workshop, this was the first time that they had heard firsthand of the impact of the residential schools system on individuals and communities.

Following a noonfeast, small groups spent the first part of the afternoon sharing responses to what they heard in the morning. The group also looked at the Seven Grandfather teachings and at a parallel teaching from Galatians 5: 22.

Later in the afternoon, the groups shared their learnings. There was a strong commitment between both the aboriginal and non-aboriginal participants to continue this journey.

One interesting comment made by Chief Monague was that the community is still struggling with the separation of children from the community because their island school only goes to Grade 8. High school children have to board with families in Midland.

The day concluded with words by Laverne Jacobs, a communion and a circle gathering on the lawn outside the church.

“Public Inquiry” Roundtable, April 14, 2004

Twelve First Nations persons, along with twenty other people, participated in a “Public Inquiry” Roundtable to explore the possibility of a national truth-telling process on the impact of Indian Residential Schools. The meeting was hosted by the United Church and followed a smaller exploratory meeting held on February 26, 2004.

Representatives from the Anglican, Presbyterian, Roman Catholic and United churches joined those from the Assembly of First Nations, the Aboriginal Healing Foundation, the Law Commission of Canada, the Canadian Council of Churches, the Canadian Healing Circle, Indian Residential Schools Resolutions Canada and Historica (www.histori.ca) to discuss how Canadians could become more deeply aware of the reality of residential schools.

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A broad consensus emerged that we would work together as Canadians, Aboriginal groups and churches to persuade the federal government to hold a Public Inquiry to ensure healing and reconciliation for survivors at a community level and to engage the nation in public education and awareness.

There was also strong agreement to take action now on specific initiatives of commemoration at a community level and work on designated national events such as a “National Day for Reconciliation and Healing” on May 26th.

We were reminded that since 1998, the year of the [Moderator’s Apology](#), 16,000 former students have died. It is estimated that there are still some 87,000 survivors for whom issues of justice, healing and reconciliation are critical.

A Working Group has been struck to develop terms of reference and specific goals for a national public inquiry for presentation to all participants at a future meeting.

A Watershed Meeting

On March 29 and 30, the Board of the Aboriginal Healing Foundation (www.ahf.ca) invited a broad representation of Aboriginal, church and government representatives to meet with them in Ottawa to discuss the future of the healing movement in Canada. A Working Group of Aboriginal and Church participants provided a discussion paper, “The Future of the Residential School Healing Movement.”

During the two-day meeting, there was a broad consensus that the work of the Aboriginal Healing Foundation begun in 1999 must continue. It is estimated that over 125,000 people have engaged in healing processes, that almost 3,000 communities have been served and that over 25,000 individuals have received training.

Since last autumn, the Working Group has been discussing the possibility of forming a coalition of organizations dedicated to the continuation of the healing movement in native communities. The **Legacy of Hope Coalition** has identified new partnerships, broader public engagement in healing and reconciliation and “right relations” between Aboriginal and non-Aboriginal peoples in Canada as being crucial to its work.

At the end of the two-day event, it was agreed that an expanded Working Group would prepare a strategy for implementing these goals for presentation to a national conference of survivors planned for Edmonton this July.

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Residential Schools Steering Committee Update (May/June/July 2004)

Dispute Resolution Hearings

To the end of July 2004, The United Church of Canada had participated in six hearings in the federal government's new Dispute Resolution process. The DR process is less formal than litigation but also more confidential due to disclosures of abuse that might be made. Therefore we can describe only in general the process followed in the hearings.

Three hearings were held in British Columbia and three in Manitoba. All six hearings were held in locations chosen by the survivors. In some cases, the location was close to the claimant's home. In others, the survivors wanted the hearing some distance from home. Hearings took place in hotel conference rooms, in tribal offices, or in local Friendship Centres.

A case manager from Indian Residential Schools Resolution Canada represented Canada at the hearings. As well, a lawyer from Justice Canada was present. Brian Thorpe represented the United Church at the BC hearings. Bill Gillis from the Conference of Manitoba and Northwestern Ontario office attended the hearings in Manitoba.

The hearing usually began with prayer or ceremony. The choice rested with the survivor. In one case, a Salvation Army officer offered prayer. In others, Bill or Brian were asked to do so. At one hearing, a very moving cleansing ceremony was conducted by Elders from the survivor's community. Some survivors chose to have family members attend in addition to the health support person.

An independent decision-maker (or arbitrator) presided over the hearings. The arbitrator is the only person allowed to ask questions of the survivor. During breaks legal counsel for the survivor or representatives of the federal government or the church could suggest lines of questioning to the arbitrator. In general, both Bill and Brian report that the adjudicators undertook their responsibilities with sensitivity and clarity

One of the Manitoba hearings was adjourned to resume again on September 3rd. The other five were completed within one day.

Notably, while the specific claims being heard and the life experiences of the particular individuals were varied, everyone interviewed spoke about the pain of separation from family and community at a young age and about the impact that loss of language and culture has had on their lives. This common experience is a reminder that while the new dispute resolution process seems to be a better process than litigation for dealing with claims of sexual and physical abuse, other mechanisms are needed to address the broader impact of the residential school system on individuals and communities.

Note: As of the end of July, there were about 100 applications to the DR process from former students who attended residential schools with which the United Church was affiliated. Currently that is about 16 percent of all applications.

Residential Schools Steering Committee Meets with Walpole Island First Nations Community

For its June meeting, the United Church Residential Schools Steering Committee went to Walpole Island in southern Ontario. The committee began by participating with members of the community in a National Aboriginal Day of Prayer. The Rev. Laverne Jacobs officiated while the guest preacher was Rev. Dr. Jim Sinclair.

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Throughout the three days, the Committee visited the Walpole Island Heritage Centre, attended a presentation on the North American history of colonization, and inspected a new monument erected to honour community members who were former students of Indian residential schools in Canada and the United States.

A number of survivors attended a potluck dinner at the local United Church with the committee. After dinner, there was a frank discussion on the extent of loss and harm that people had experienced in residential schools. One woman suggested that while the intent was to destroy the community, they have survived. She said, "We are here because of our common history. Residential schools were meant to break the strength of the First Nations community. It had some success but it was not total. We have to work together...no one is leaving. Maybe we can work together. We are now trying to make a recovery."

The time on the island raised important issues for follow-up. Community members wished to know more about the work of the Steering Committee and what recommendations we would make as a result of our visit. Overall there seemed to be an appreciation for the visit but a clear need for the committee to be well prepared for the encounter and able to respond to concerns and issues raised by the community.

Meeting with Former Students in Communities on the West Coast

"Why did I have to learn to hate? To live with anger? Why did I have to live all my life with a negative feeling inside?" These were the words of a Nuxalk senior citizen speaking about the impact of his residential school experience.

For several days in early July, Jamie Scott from the General Council Office along with Doug Goodwin and Keith Howard of BC Conference accompanied Alvin Dixon to the isolated communities of Bella Coola, Rivers Inlet, and Bella Bella on the coast of British Columbia.

In each community, we met with former students of residential schools and listened to what they wanted to say to us. It was a moving experience to hear of the pain still resonating in the hearts of former students. It was also challenging because our presence elicited direct questions about what the United Church is prepared to do to assist healing as we take responsibility for our role in the residential school system.

Survivors spoke of poor food, the fear of beatings, and the denigration of their culture. Many emphasized the ongoing impact on their families and communities. Abuse and suicide rates remain high. Parenting skills are lacking.

The apologies of the United Church can appear hollow to people looking for practical help to deal with real problems related to the legacy of the schools. We were challenged to assist these communities with ongoing counselling help, with efforts to reclaim spiritual practice through building a Big House, by assisting in the publication of literature for language recovery.

We listened; we committed to continue the dialogue in order to determine how the apology can come alive as we strive to determine what it means to repair the harm and walk together in right relationship.

Residential Schools Raised at AFN National Meeting

On the first day of the 25th Annual Meeting of the Assembly of First Nations in Charlottetown, PEI, a new federal cabinet was announced in Ottawa. Deputy Prime Minister the Hon. Anne McLellan is the

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new minister responsible for Indian Residential Schools Resolution Canada, and the Hon. Andy Scott is the new Minister of Indian Affairs and Northern Development.

Scott attended the final day of the meeting, indicating he was primarily there to listen since he had been minister for just two days. However, he did state, "My commitment before you is to work in good faith with you and other partners on the shared goal of realizing positive and lasting change in the lives of First Nations people across Canada."

The National Chief, Phil Fontaine, asked the Minister of Indian Affairs for the Prime Minister to offer a full public apology in Parliament to the survivors of the residential schools system. Mr. Scott indicated that while his department is not handling the residential school issue, he would take the request to Ottawa. The National Chief said he would also like to see a national monument with respect to Indian residential schools.

The Aboriginal Healing Foundation reported to the meeting and indicated that within the next two years 90 percent of their funded projects will end. The AFN, other national Aboriginal organizations, and many of the churches have been pressing the government for a renewal of the Aboriginal Healing Foundation.

Hinton: National Day of Justice and Reconciliation

The community of Hinton, AB, held a major gathering to recognize the National Day of Healing and Reconciliation on May 25 and 26, 2004. There were several sponsors of this event, with the Lutheran Church, Hinton United Church, and the Friendship Centre being among the most prominent.

Maggie Hodgson, one of the founders of the National Day, was a theme speaker. In addition there were addresses from representatives of the United and Lutheran Churches and from the Government of Canada. Workshops involving survivors of residential schools and members of the community were also a part of the two-day program. A banquet with singers and dancers provided a celebrative moment in the midst of a reflective and educational event.

Demolition of Former Norway House Residential School

Members of the community and former students are planning an event to mark the demolition of the building that served as an Indian residential school in Norway House from 1900 until 1967. Since 1968, the building has served as a community day school. It was closed in June.

The event will take place August 21-22, and will involve former students from Norway House and other northern communities. The focus will be on processing the residential school experience, and the agenda will likely include sharing circles, a church service, and a closing feast. United Church representatives from the local congregation, ANCC, the Conference of Manitoba and Northwestern Ontario, and the General Council Office have been invited to attend and participate.

To Contact Us

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Residential Schools Steering Committee Update (August/September 2004)

Dispute Resolution Hearings

To date, The United Church of Canada has participated in seven hearings in the federal government's new Dispute Resolution process. The DR process is intended to provide a "user-friendly" alternative to litigation for claims related to sexual or physical abuse and wrongful confinement against Canada and church organizations. To the end of August, the government has received about 800 applications, 100 of which are from former students of schools with which the United Church was associated.

Decisions have been rendered in most of the hearings in which we have been involved. In two cases, the survivor has requested a review of the decision. Both the government and the church have been invited to respond to this request. In another case, the government has requested a review because they felt that the award in the Decision did not fall within the guidelines for the process. This decision involving an award of \$1,500.00 to an elderly Manitoba woman has resulted in significant media attention. While the argument of the government may be legally correct, the United Church has made a decision not to join with the government in requesting a review and has, in fact, forwarded its share of the award to the claimant.

Community Events

Norway House

Over the weekend of August 21-22, an event was held at the Rossville School in Norway House to mark its history as an Indian Residential School. From 1900 until 1967, there was a residential school in Norway House, first associated with the Methodist and then the United Church. Later the school became a community day school. The building is slated for demolition this fall so a number of former residential school students took the opportunity to remember and reflect on their painful experiences there. The event took place in the gymnasium of the school and in the local United Church building. Former students sat together in silence, participated in a talking circle, shared meals, prayer, and a worship service, and concluded with a community feast.

In addition to members of the local congregation, staff from the national office, from ANCC, and from Manitoba and Northwestern Ontario Conference were present.

Elders Summit at Six Nations Reserve

The United Church was invited to speak to the Elders Summit at the Six Nations Reserve near Brantford on August 31. The Elders Summit refers to a group of Aboriginal elders who have travelled across Canada and parts of the United States over the past two years on their way to the United Nations.

Jamie Scott represented the United Church. He outlined the journey of awareness, confession, and reparation our church has been on over the past 20 years and included the 1986 and 1998 Apologies. He also spoke about the things that the church has been trying to do subsequently to "walk the talk." The response included both appreciation for the efforts of the United Church as well as deep anger over the history of oppression and the continuing impact of that oppression and of racism that many continue to experience today.

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Edmonton Event

On Labour Day weekend, the Nechi Institute and Poundmakers Lodge (a training institute and a treatment centre located on the site of the former Edmonton IRS) hosted the fourth in a series of annual gatherings for survivors of the Edmonton Indian Residential School.

A group of Gitksan survivors who were involved in the Hazelton Alternate Dispute Resolution process have attended this event for the last four years. This year they invited the government case managers who had been involved in the ADR and Brian Thorpe from the United Church to accompany them.

The event involved pipe ceremonies at the beginning of the two days and a round dance at the end. During the days there were a series of workshops, healing events, and sweats. On the Saturday evening, the survivors from BC hosted a traditional feast.

We were also introduced to a proposal to build a memorial to the residential schools survivors on the site. The possibility of the church becoming involved in fundraising for this project is something we will explore as a follow-up to the event.

The organizers had intentionally designed the two days to be a celebrative occasion. As we danced on the grounds where the Edmonton IRS once stood, as an eight-year-old Cree girl offered prayers in Cree for those who were no longer with us, as the pipe was shared in a circle, the event also proved to be a testimony to the survival of a culture and a spirituality in this midst of a great deal of pain.

Apology Feast at Tsow Tun Le Lum

On August 21, 2004, an apology feast took place at the Tsow Tun Le Lum Treatment Centre in Nanoose, BC on Vancouver Island.

This feast was held in honour of two elders involved in the work of the centre. One of the elders was a survivor of the Coqueletza (UCC) school and the other had gone to Kuper Island (RC). Both the survivors made the decision not to make claims against Canada or the church as a result of their experience. In meetings with government and church representatives prior to the feast, they expressed a strong conviction that their concern at this point in their lives was for future programmatic responses to the legacy of residential schools. In particular, they were anxious that support for treatment centres such as Tsow Tun Le Lum be continued and increased.

The feast began with a meal of salmon and moose stew served by the local youth group. There were about 200 members of the community present for the feast. Following the meal, the two elders were brought into the feast hall accompanied by singers with rattles moving in a slow procession. A process of naming witnesses followed. Each time a witness was named, representatives of Canada and the church acknowledged the naming with gifts of 25 cent pieces. Members of the community also gave gifts.

When the witnesses were in place two speakers spoke for the two elders. They talked about their residential school experiences and about their hopes for the feast. Following these statements a representative of Canada and the United Church offered words of apology. Several other speakers followed. There was then a "give-away" which signalled the end of the feast.

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Bella Coola

On the weekend of September 24-26, two groups gathered in Bella Coola, BC. Prince Rupert Presbytery held its fall meeting in the community. As well, over 30 survivors of residential schools and numerous other members of the Nuxalk nation met for two days.

On two separate occasions the presbytery and the gathering of survivors met together. On Friday afternoon, the presbytery was invited to witness a welcoming home ceremony. In this ceremony, the survivors accompanied by supporters were welcomed back into the community in a ceremony that included the placing of eagle down on their heads. The symbolic act acknowledged the fact that when the survivors as young children were separated from their homes and their community, the loss of language and culture experienced was significant.

On Saturday the presbytery and the survivors gathered in a large circle. Many of the survivors talked about their experiences at residential school and about the impact that those experiences had had on their lives and on the life of their community. At the conclusion of this sharing, Betty Sangster, the United Church minister in Bella Coola, and Brian Thorpe were invited to speak to the circle. The members of the presbytery and visiting British Columbia Conference President Foster Freed and Personnel Minister Treena Duncan stood with Betty and Brian as they spoke words of apology and words of commitment to live out the apology in acts of seeking right relations between the church and Aboriginal peoples. Following the apology, Archie Potliss from the Nuxalk nation addressed the church members present and urged them to mobilize the membership of the United Church to advocate with government in relation to issues affecting Aboriginal peoples. He also talked about the fact that the ongoing involvement of the United Church in court processes related to residential schools often conflicts with the follow-up needed in relation to apologies. He urged the church to use its financial resources to support programs to address the impact of residential schools and he asked for the church's help in the recovery of spirituality in the community.

Following the circle, a feast was held which included drumming, singing, and dancing.

A Proposal for a Public Inquiry

As a result of the motion from the October 2003 meeting of the General Council Executive, two Roundtable discussions have been convened (February and April 2004) with a number of church, Aboriginal, and national organizations. Participants examined the possibility/desirability of a national truth-telling process as well as the importance of educational and community-based initiatives.

A small Working Group was created to draft terms of reference for a truth-telling process. It met on September 29 to review a draft proposal outlining a strategy for a national public inquiry. The Working Group refined the proposal. It was then shared with the national executive of the Assembly of First Nations. The National Chief was very supportive of the concept. The proposal will next be shared with the larger roundtable scheduled to meet this November.

We anticipate that the General Council Executive will receive a report with suggestions for action at its spring 2005 meeting.

Blackwater Appeal

On October 7, the Supreme Court of Canada granted leave to the federal government to appeal the BC Court of Appeal decision in the Blackwater case. The Appeal Court's decision allocated 100% liability to the government for harms arising out of the Alberni Indian Residential School.

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While the United Church did not comment on the decision of the Supreme Court, National Chief Phil Fontaine, of the Assembly of First Nations, expressed his disappointment to the media.

“It is tremendously unfortunate that the Supreme Court has decided to hear the federal government’s appeal, which is only going to prolong this case. An appeal is not in the interests of equity, fairness, justice, or a timely resolution for residential schools survivors. The government is leaving the survivors to twist in the wind while they argue in court about technicalities.... We have always maintained that the federal government is solely responsible because they established and maintained the schools.”

National Day of Justice and Reconciliation

On Thursday, October 7, United Church reps met with Maggie Hodgson to talk about the United Church’s relationship to the NDHR. Joining us were Rosalind Weeks of Initiatives for Change and Susan Dahlseide, the Director of Marketing and Health Promotions at Nechi Institute and the Co-Chair of NDHR.

We discussed the focus of the day. Maggie made the point that for her the overarching theme is a generic one of healing and reconciliation between peoples at all levels of life. Under this generic umbrella, each participating organization could identify (and develop resources around) a particular theme that is meaningful to their constituency in any given year. Thus the United Church could name its own focus, i.e., Aboriginal justice or healing for residential school survivors, and develop educational resources and animation strategies that are constituent-specific. We agreed that we would like to see people challenged at a personal level to reflect on ways in which their own lives and relationships need healing and reconciliation, as a way of connecting to the larger reconciliation issues.

Later on, we participated in a conference call which also included Choice Okoro and John Bird from the United Church, and Jack Freebury from Initiatives for Change (Edmonton). The agenda included the focus of the day, community activities, “target marketing,” political strategies, and fundraising. Some felt that a broad focus that includes the wrongs suffered by the Japanese, the Chinese, and the Ukrainians will encourage awareness of and empathy for the harms suffered by First Nations people. People were supportive of the idea that personal healing is bound up with national healing. It is also important to get the non-Aboriginal community to recognize its own need for healing.

Choice outlined the United Church suggestion that the NDHR become a month-long campaign starting on the long weekend in May and ending with June 21, a day already identified as Aboriginal Day. There was positive interest in the idea.

To Contact Us

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Residential Schools Steering Committee Update (December 2004)

Dispute Resolution Hearings

To date, The United Church of Canada has been involved in eight hearings in the government's new dispute resolution process. Three hearings have been held in Manitoba, three in British Columbia and one in Alberta. The eighth hearing took place during December in Prince Rupert, BC.

By mid-December, the federal government has received 1,041 applications for the DR process. Of those about 140 involve the United Church. Approximately 38% of all applications are from people who have unresolved lawsuits while 62% are from new applicants. Sixty-five hearings have been held.

In November, twelve new Adjudicators for the DR process were trained at an event in Regina. For the final three days of the training, the 38 who came on board a year ago joined the new adjudicators. During these final days, the church was involved in two training sessions. We were asked to resource a panel on the learnings that have emerged from the hearings held to date. As well, the United Church joined with representatives of the Anglican, Presbyterian, and Roman Catholic Churches for a two-hour session on the history of the church's role in residential schools, and on the involvement of the respective churches in the hearings. During this panel the United Church once again reiterated its commitment to be present at all hearings involving a United Church related school (unless specifically asked not to attend by a claimant) and to contribute our share to any settlement awarded by the adjudicator. We stressed that we see our presence at hearings as an important act of witnessing and acknowledging the stories of survivors and offering apology on behalf of the church.

A Proposal for a Public Inquiry

On December 3, the United Church hosted the third of a series of roundtable discussions to explore the implementation of a public inquiry into the residential schools system and its impact on Aboriginal peoples, as recommended by the 1996 Royal Commission on Aboriginal Peoples.

The roundtables followed a challenge by George Erasmus to the 38th General Council that the Church actively pursue avenues through which this neglected recommendation could be realized.

Representatives of the Anglican, Presbyterian, Roman Catholic, and United Churches met with participants from the Assembly of First Nations, the Congress of Aboriginal Peoples, the Aboriginal Healing Foundation, the Residential Schools Survivors Society of BC, and the federal government to discuss a draft proposal developed by a task group. Strong support for a truth telling process emerged from the group.

There was recognition that the proposal was consistent with several recommendations emerging from the recent AFN review of the government's Dispute Resolution process. There was also a consensus that, unlike traditional public inquiries in which a nationally appointed group of commissioners travels to communities, a more community-based approach should be used. Specifically, that local communities would develop culturally appropriate ways to explore, talk about, and process the legacy of residential schools. Nationally, there would be a group of witnesses who would attend locally based inquiries and who would be responsible for compiling a national record.

The roundtable agreed that more work should be done on a draft discussion paper and that the roundtable should meet again in February 2005.

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AFN Calls for Reforms of Government's DR Process

In March of 2004, the Assembly of First Nations and the University of Calgary Law School sponsored a conference on the theme, "Is Reconciliation Possible?" Its purpose was to discuss the challenge of dealing with the legacy of Indian Residential Schools. In particular, it examined the Canadian government's Alternate Dispute Resolution initiative. Following the conference, former Dean of Law Kathleen Mahoney and a number of legal and other experts agreed to carry out an in depth study and analysis of the ADR process for the AFN.

On November 17, National Chief Phil Fontaine released the review's report indicating that, "at the current pace, it will take 53 years to settle all claims at a cost of \$2.3 billion in 2002 dollars, and this does not even include the actual settlement costs. If the government adopts the approach set out in the AFN report then all claims can be resolved by December 2010 in a more timely and cost-efficient manner."

Chief Fontaine went on to say, "The current ADR process is an adversarial system that is not working and is in fact re-victimizing many survivors. It is failing Canadians by wasting taxpayers' dollars. It is failing First Nations and all Canadians by denying timely and just compensation. Most importantly, it is failing all of us because it is not leading to the healing and reconciliation that is required at a national level so that we can finally put behind us, in an honourable way, the legacy of this disgraceful and sad chapter in our history."

The AFN's report recommends a two-pronged approach to improve the current ADR process. The first part would involve a lump sum to all survivors (or their descendants), along with an additional amount for each year spent in the school. Survivors could be additionally compensated for severe emotional, physical and sexual abuse. The AFN also calls for renewed funding and mandate for the Aboriginal Healing Foundation (AHF) given its emphasis on culturally based approaches to healing. The United Church and other like-minded organizations have also urged the government to continue the AHF's important healing work.

The second part of the report proposes the creation of a national mechanism for Truth-Sharing, Healing and Reconciliation. It states that, "in order to achieve reconciliation between Canada, the churches and survivors and to facilitate healing among the survivors and the First Nations communities, it is a fundamental principle that the harms be addressed in a holistic manner." It also suggests that Canada and the religious entities support and work with survivors to design such an approach. This suggestion seems to echo the work initiated by the United Church early in 2004 for the creation of a Public Enquiry. This approach would allow people to share the history of Residential Schools and enable survivors, their families, and communities to actively participate in rebuilding their lives and a restoration of right relations with all those involved or affected by the experience of Residential Schools.

The National Chief suggested that within three months the government should respond to their report and indicate what action and changes it would make. In the meantime, the AFN will hold its own consultations and has also asked church bodies to consider supporting these proposals.

The United Church welcomes these proposals and looks forward to responding along with others to the constructive suggestions that the Assembly of First Nations has put forward.

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World Council of Churches Case Study

In September 2004, Marilia Schuller, a staff person with the Justice, Peace and Creation Team of the World Council of Churches, spent three weeks in Canada. Part of her visit involved the exploration of possible Canadian church involvement in a case study on the legacy of residential schools. This would be one of several projects throughout the world to follow up on the WCC report, "Transformative Justice: Being Church and Overcoming Racism." It is also hoped that the case studies would be a resource to the next Assembly of the World Council of Churches in 2006.

During visits in Ontario, British Columbia, Alberta, and Manitoba, Marilia met with member churches, ecumenical coalitions, and survivors of the residential schools system. In Toronto, she spent several hours in conversation with Jamie Scott and David MacDonald about the recent history of the United Church in response to residential school issues.

In British Columbia, Charlotte Sullivan, Alvin Dixon, and Brian Thorpe from the Residential Schools Steering Committee spent a day with Marilia. At a meeting at the Vancouver School of Theology (VST), the possibility of basing the Canadian case study at VST was raised. Both the Dean and Principal of VST expressed strong support for this proposal. The resources of the school, its relationship to three of the historic mission churches involved in residential schools, and its involvement in the Native Ministries Consortium would all be assets to the case study.

Following the meeting at VST, a second gathering was held at the offices of the BC Survivors' Society. This meeting resulted in a strong commitment on the part of the Survivors' Society to partner with VST in the study.

The next step in this process will be to call together a representative group from the churches and survivors to draw up the terms of reference for a case study and to develop a budget for the study. Brian Thorpe and Alvin Dixon will be the contact people with regard to the next steps in the process.

To Contact Us

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