

ABORIGINAL CANADA

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Canada's relationship with its Aboriginal peoples has many similarities with Australia's - from the early beginnings of European colonisation to the ways Canada is wrestling with the legacy of its own stolen generations of Aboriginal children. This week Background Briefing goes inside the Canadian Parliament where MPs and First Nations Chief Phil Fontaine are debating what should be done to compensate survivors of Canada's Indian residential schools, and to an ice hockey match with players from Canada's three First Nations - Indians, Metis and Inuit.

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Tom Morton: Hi there, welcome to Background Briefing, I'm Tom Morton and we're coming to you today from the banks of a frozen canal in the centre of Ottawa, the capital of Canada. It's a beautiful winter's day, a little bit of snow falling, about minus 15, a bit chilly, and the sound you can hear is a game of ice hockey, taking place on the canal. Nothing unusual of course for Canada, where ice hockey is not just the national game, but the national passion. But there is something special about this game, because it's being played between two teams of young Eskimos and Indians, or First Nations people. The Eskimo team are in white jackets, the Indian team in red jackets, and it's a friendly contest, but one being played with a certain degree of passion, too.

Caribou Cup players **Randy Way:** My name is Randy Way, I work for the Ontario Metis Development Corporation. I guess I'm kind of the Marketing Manager, the Communication Officer for the Odawa Redmen Hockey Club.

We're a First Nations and Metis group of guys that play every Friday at the Tom Brown Arena, and I bumped into Franco, Busciemi Sheatiapik, I think his middle name is Sheatiapik, and he's the Inuit National Youth Co-ordinator, and he asked me to put together a team to play him, and we played a series of games at the Ottawa University, and the final game was a Winterlude keynote activity during the northern weekend, and their two teams face off on the canal.

Tom Morton: Randy Way. He's one of the organisers of the inaugural Caribou Cup hockey game between the Eskimos and the Odawa Redmen.

There are three separate Aboriginal peoples in Canada: First Nations, also known as Indians, Metis, who are of mixed Indian and European blood, and Inuit, also known as Eskimos. And Canada's relationship with its Aboriginal peoples is our theme today on Background Briefing.

The history of that relationship has many similarities with Australia, from the early beginnings of European colonisation, to the ways that Canada is wrestling now with the legacy of its own stolen generations of Aboriginal children.

But there are also sharp differences between Australia and Canada.

The rights of all three Canadian Aboriginal peoples, for example, were formally entrenched in the Canadian constitution. All three, First Nations, Metis and Inuit are out there competing on the ice today. It is also a cultural festival, traditional dancing, some Metis rock 'n' roll, and Inuit throat singing.

Franco Busciemi: I'm not sure what the specific performances are, but what they've been doing is throat singing, and they mimic noises in life. They've demonstrated... one was the mosquito, one was the saw, which was quite accurate if you just listen to that, and they make the noises kind of deep within their throat, and whoever laughs first loses, so it's not so bad. Sometimes when you win you lose, and sometimes when you lose you win. So it's just one of those friendly games to kind of just have some fun.

Tom Morton: And speaking of friendly games, tell me a little bit about the hockey game today.

Franco Busciemi: I jokingly challenged somebody I'd met at a meeting to a hockey game of [our] Inuit or Eskimo team I guess and First Nations and Metis. He called me up two weeks later, we scheduled a game, and we saw the potential. We had a couple of games before this Winterlude one, and we wanted for Winterlude to teach people about our culture as well as teach them the kind of commonalities we have as just Canadians. Because oftentimes we focus on the unique aspects of our culture, but we thought it would be important to bring everybody together, bring Canada closer together to also recognise some of the things that we have a shared passion for.

Tom Morton: Well there's nothing Canadians share more of a passion for than ice hockey. That was Franco Busciemi, Inuit National Youth Co-ordinator and another of the organisers of the Caribou Cup.

The Caribou Cup is a feel-good occasion; it's a chance to celebrate young Aboriginal high achievers.

Randy Way: Amy Bombay from our team, she's studying neuroscience at the University of Ottawa, and Amy's Canadian University in her Collegiate Women's All Star. She's not a very big player, you might have seen her out there, but she's a hard worker and really skilled play-maker. We had Joe Dragon, who's a draft picker, the Pittsburgh Penguins. He did his PhD on the caribou, and Joe Dragon, he went on a hockey scholarship to Cornell University, and did his post-doc at the

University of Alberta in biology.

Tom Morton: So not only does the team contain some pretty hot hockey players but also some people with pretty extensive academic qualifications, yes?

Randy Way: Yes it was kind of picked. You have to be either an academic, an athlete, a cultural paradigm of some description and I think in Canada there's such a negative stereotype of Aboriginal people, and many people here in Ottawa, our Aboriginal community's a polyglot community. It's highly educated, it's high achievers, and the children of high achievers, bright. It's representative insofar as the breadth and depth of this country: Heiltsuk from the West Coast and MicMacs from the East Coast, and I think we had people from Iglulik and Pangnirtung way up there in the high Arctic. We had three or four people from Western Canada, from the Plains, we had a number of Metis, so it was a very representative team, culturally, geographically and I think out of all the players I would say out of the 50 players, would say 25 of them can speak their indigenous language, so that also was kind of an interesting thing.

Phil Fontaine: My name is Phil Fontaine, I'm an Ojibwe from Sagkeeng, which is located in the western part of the country. I'm the National Chief for the Assembly of First Nations. The Assembly of First Nations is the national political voice, indeed the only political organisation representing First Nations in this country.

Tom Morton: Phil Fontaine is a lean, fit-looking man in his early 50s. ON the day I meet him, he's dressed in a dark suit with his hair, just showing a trace of silver, tied back in a long ponytail.

Phil Fontaine's journey to become National Chief has been a rocky one. Born into a family of 12 children, his father died when he was young after an accident at the sawmill where he worked.

Fontaine left school early, started drinking, and led what he himself describes as an aimless and unfocussed life in his late teens and early twenties. Then he got off the booze and into politics, and he has 30 years of activism behind him.

Phil Fontaine: I'm easily overwhelmed with the thought of where I was just a few years ago, and where we are today. Just the transformation that's taken place in our community, and the people that have been involved in the transformation. We have judges, there was just a recent appointment to the second highest court in the country in the appellate level, Judge Harry Laforme, Justice Harry Laforme sits on the Court of Appeal of Ontario. Fantastic. And we have over 20 judges. We have a number of professors, we have doctors, we have lawyers, over 200 lawyers, and I may be understating the number, and we have professional athletes, Olympians, we have our own television network, we have radio stations of our own, like First Nations, we have newspapers of our own, and managed by First Nations. We have a real presence in Ottawa, people know who we are, people understand what we do, people see us for the influence that we possess, and so there's been a real change. And as much as we lament the fact that we're an impoverished State, too many of our communities are in a crisis situation, there is much to celebrate, and we too often forget that there is cause for celebration.

Tom Morton: What do you attribute that to? You talk about the progress that you've made in your own lifetime. What have been the important factors in that happening?

Phil Fontaine: When we talk about the reasons behind this transformation in our community, well education has been a significant factor. In 1952 we had two First Nation people in two universities in Canada, one in British Columbia and one in Montreal, McGill. By 1969 when the former Prime Minister, who was then Minister of Indian and Northern Affairs, the Right Honourable Jean Chretien, introduced a White Paper. We had about 100 students. Today there are close to 30,000 First Nation students in universities and colleges, so that's – talk about a return on investment. There's been no better investment, and that is what brought about in the main, this incredible transformation that's taking place.

Tom Morton: In many ways, Canada seems to have been more successful in transforming the lives of its Aboriginal people than Australia. And there's perhaps no more stark indicator of this than the life expectancy of Aboriginal people in the two countries.

In Australia, on average, an Aboriginal man's life is 20 years shorter than a non-Aboriginal man's. In Canada the gap is less than 10 years. And on other indicators such as infant mortality, Canada's Aboriginal peoples are also doing better than ours.

In Canada though, there's a fundamental difference in the historical relationship between Aboriginal people and their European colonisers.

John Borrows is Professor of Aboriginal Justice and Governance at the University of Victoria, British Columbia.

John Borrows: There was a tendency in Australia to regard land as being terra nullius or empty land, whereas in Canada, although there was a view that Aboriginal peoples weren't as organised as Europeans, there was a recognition that these peoples had rights to land by and large, and that led to a process of negotiation and treaty-making that has close to a 500-year history, in this country, that never really took hold that strongly in Australia.

Tom Morton: How much was the making of treaties in Canada a product also of the rivalries between the two different colonial powers in the early period between Britain and France?

John Borrows: That was really important. Aboriginal peoples were often able to play off against one another the different

powers that were contesting for supremacy on the continent, and so in the initial stages Aboriginal peoples would play the French off against the English and secure the best advantage they could, by working through those alliances, and it really was a way that Aboriginal peoples maintained some balance of power.

Tom Morton: More than 600 treaties have been signed between Aboriginal people and Canadian governments.

John Borrows: The substance or the subject matter of the treaties also gave some elements for control. There was an erosion from that for many years, as there was an attempt to assimilate Aboriginal peoples into Western forms, but all along and underlying that was this tenacity of holding on to their own legal traditions and political, social, cultural and organisational forms.

Tom Morton: In Canada, First Nations, Inuit and Métis all have national organisations which represent their interests directly to government, a stark contrast with Australia, where the only such organisation, ATSIC, has recently been abolished by the Federal government.

Larissa Behrendt is Professor of Law and Indigenous Studies at the University of Technology Sydney, and she's also worked in Canada as a lawyer on a First Nations treaty renegotiation.

Larissa Behrendt says there's a fundamental difference between Canada's relationship with its Aboriginal peoples, and Australia's.

Larissa Behrendt: Canadians had a Bill of Rights for 20 years before they entrenched it into their constitution in 1983, and that means as a whole I think, people often observe, that Canadians seem to have a greater sense as a community, about their ability to have a series of rights and expectations, that they're able to hold their government accountable to. And Australians in general don't have that same sensibility. That means that in relation to issues like indigenous rights, we have a country like Canada that entrenches indigenous rights into its framework, and protects them. And in Australia, we see the ability of governments to legislate rights, whether it's native title, or a right of self-representation through a body like ATSIC, and not then to just as easily take those rights away through a political process. That has, I think, created quite different societies in how they view indigenous rights at a basic level.

Tom Morton: Because in fact, the Aboriginal peoples of Canada, the First Nations, Métis and Inuit peoples are formally recognised in the Constitution.

Larissa Behrendt: They are, which is a huge difference to Australia where we weren't even on the radar at the time the constitution was drafted. We certainly haven't been included since. The Canadian constitution protects indigenous rights, whereas the Australian constitution allows the Federal parliament to legislate for indigenous people, but just as easily as it can write heritage protection legislation, it can take the rights containing that legislation away. So they've created very different roles for indigenous people within the two constitutions.

Portrait of Native students at St. Paul's Indian Industrial School. 1901: Library and Archives Canada **Tom Morton:** But there's one aspect of Canada's relationship with Aboriginal people which is still raw and anguished, and which has many parallels with Australia's: the story of Canada's own stolen generations.

For more than a hundred years, Aboriginal parents in Canada were forced to send their children to residential schools, boarding schools often hundreds of miles away from where they lived.

Children did still see their parents, though often only once a year, and they were forbidden to speak their own language. 87,000 people who were sent to the schools as children are still alive today. And one of them is National Chief Phil Fontaine.

Phil Fontaine: I spent ten years in two residential schools; I spent ten years away from my family and my community, and before I, all of my older siblings, and the younger ones. My Mum and Dad, my Grandmother on my Father's side. I mean she died when she was 82 in 1954, she'd been to industrial school.

Our estimates are that we have 150,000 of our people attend industrial schools, boarding schools, residential schools. Today there are 87,000 left. Residential schools were about the eradication of Indians, the sense of Indian-ness. It was a deliberate attempt to mould the indigenous people into something that they could never be. And what this policy was about was the denial of our cultures, our languages, our history, or histories, and this experience has been a tragic one. And it's a tragic chapter that is largely unknown in the history of Canada. It's remained as a footnote, not as something that's studied in our schools, so people don't understand and appreciate this tragedy and the consequences of this experience.

Tom Morton: Until recently, as Phil Fontaine says, the residential schools have been a largely unknown chapter of Canadian history.

But the day-to-day running of the schools was extensively documented in government reports and photographs. And as that documentary record shows, there are powerful parallels between the history schools in Canada, and the history of the stolen generations in Australia.

The language of bureaucrats for one thing, is eerily similar. In Canada they talked about the vanishing Indian, in Australia about Aborigines as a race in their twilight years. And both countries practiced a policy of assimilation, from around the end

of the 19th century up until the 1960s.

Mi'kmaq girls in sewing class at the Roman Catholic-run Shubenacadie Indian Residential School in Shubenacadie, Nova Scotia, 1929: Library and Archives Canada Here's Kathleen Mahoney. She's Professor of Law at the University of Calgary and she's been a distinguished visiting Fellow at three Australian universities.

Kathleen Mahoney: The agenda in Australia was the same as the agenda in Canada. The purpose of the whole residential school project was to make the Indians disappear, essentially take the Indian out of the child. The way it was done in Canada was to create residential schools, where the idea was to break the bond between the child and the family, to break the bond between the child and the culture. And these children were very severely punished in school, for example, for speaking their language. They were called savages, they were told their parents were primitive and savages and so on. So psychologically, they were brainwashed, physically they were very brutally punished, many were sexually abused and the experiment didn't work. It was a tragedy of huge proportions and we're now trying to deal with that tragedy.

In Australia, to my knowledge, it was not a dissimilar policy. Some differentiation was made between Aborigines with white blood and Aborigines without white blood, but the whole concept of the stolen children is very similar to the Canadian residential school agenda.

Tom Morton: Canada and Australia have taken very different paths in responding to their similar histories. In 1998, the Canadian government formally apologised to Aboriginal people who'd been sent to residential schools.

The government's apology had a special significance for National Chief, Phil Fontaine. Fontaine himself was sexually and physically abused in residential school. And it was his public disclosure in 1991 of the abuse that he'd suffered, which paved the way for many more survivors to come forward and tell their stories. Fontaine says the apology was an important turning point for Aboriginal people in Canada.

Phil Fontaine: I accepted that significant admission, when they said 'Sorry, for what we did to you.' We knew then that the floodgates would open, that people then would go after the government and the churches for the abuse they suffered, and the consequences of the abuse.

Tom Morton: So that was significant in your view, it was significant that the government said Sorry, and that in a sense was important for First Nations and other Aboriginal peoples in Canada, that the government had made that statement.

Phil Fontaine: Absolutely significant. This was a watershed moment in our recent history.

Tom Morton: The Australian Federal government has consistently argued that apologising to the stolen generations would expose the Commonwealth to claims for compensation.

In one sense, the Canadian experience have proved the government right. As Phil Fontaine said, after the apology in 1998, the floodgates opened.

There are now five separate class actions being pursued by First Nations people seeking compensation, and numerous individual claims.

The Canadian government hasn't questioned the need for compensation, but only the means by which it should be delivered. It's set up an Aboriginal Healing Foundation with \$50-million worth of funding to deliver community-based healing and reconciliation programs. But Phil Fontaine says that Canada still hasn't fully faced up to the legacy of the residential schools.

Phil Fontaine: Canada has this image internationally as a great defender of human rights violations, the protector of human rights throughout the world, but in it's own backyard, it's violated the rights of the first peoples indiscriminately for years and years, and the greatest human rights violation has been the imposition of the residential school experience. So when we talk about righting historic wrongs, about knowing and understanding the true history of Canada, teaching people what they deserve to know, they have to know about this experience, and they have to engage in true healing and reconciliation with the people that suffered.

Fountain Sounds

Tom Morton: The sound we can hear there is the sound of a flaming fountain. It's a fountain in the centre of Parliament Square in Ottawa, the square flanked on three sides by some pretty magnificent sandstone buildings, in a kind of gothic style, buildings of the Canadian Parliament. And the flame is a flame that actually burns in the centre of the fountain. It's the Centennial Flame, and it says here that the flame was lighted by Prime Minister Lester B. Pearson on the eve of New Year's Day, 1967, to mark the first 100 years of Confederation.

And I'm about to go into the Parliament now, to sit in on a Parliamentary Committee. It's a special meeting of the Parliamentary Aboriginal Affairs Committee on Residential Schools.

When I get inside, the committee room is packed with journalists and TV cameras. The legacy of the residential schools is still a hot potato in Canadian politics, seven years after the government's formal apology.

This committee is made up of MPs from all parties. It's been investigating the government's Alternative Dispute Resolution process. The process was set up in 2003 to try to settle compensation claims out of court, and make the experience for

survivors less traumatic.

A group of nuns with Aboriginal students - ca. 1890: H.J. Woodside/Library and Archives Canada First to speak is the Deputy Prime Minister, Anne McClellan.

Anne McClellan: In 1996 Canadians were confronted by the realities of residential schools with the release of the report of the Royal Commission on Aboriginal Peoples. In particular, it clearly and poignantly addressed the sexual and physical abuse in Indian residential schools, and the ongoing legacy left within the Aboriginal community. Previous governments largely ignored this issue. In response to the Royal Commission however, the government of Canada developed a specific and innovative strategy to address in a comprehensive way, this troubled legacy.

Tom Morton: In her speech, the Minister repeats the government's apology to the survivors, first made in 1998.

Anne McClellan: The government expressed to all Aboriginal people in Canada our profound regret for past actions of the Federal government which have contributed to these difficult pages in the history of our relationship together.

"We wish to emphasise that what you experienced was not your fault, and should never have happened. To those of you who suffered this tragedy at residential schools, we are deeply sorry."

Most importantly, to those who were physically and sexually abused, we said, 'We wish to emphasise that what you experienced was not your fault, and should never have happened. To those of you who suffered this tragedy at residential schools, we are deeply sorry.'

Tom Morton: Over the last few weeks, the Committee has been hearing testimony from survivors of the residential schools. They say that the process, the Alternative Dispute Resolution process, is too slow and bureaucratic, and that the government's hiding behind legal technicalities.

After the Minister's speech, some of the committee members get stuck in.

Speaker: Thank you, Minister. We'll start with Mr Jim Prentice for the Conservatives.

Jim Prentice: Well Deputy Prime Minister, thank you for coming here today. I think it would be fair to say that what we have heard as a committee has moved us, appalled us, and shamed us. In terms of firstly the insensitivity and the inhumanity of the process, which has been followed in the way in which it has been applied to victims and the way in which it is re-victimising Aboriginal Canadians. And secondly, appalled by the bureaucratic expense and the waste of money this entails. I don't think I have ever seen or dreamt of bureaucratic incompetence on this kind of scale. If you feel that this process is working, I would say respectfully that you are the only one who thinks the process is working.

Anne McClellan: Well first of all let me clarify, as I did in my comments. It's I think completely irresponsible for people to throw around years and numbers without clarifying what they're talking about, and in my comments ...

Tom Morton: Much of the argy-bargy that follows is standard parliamentary politics: quibbles over figures, who said what, when and so on.

But at no point does the Conservative opposition party argue that there should have been no apology to the residential school survivors, or no compensation. Their attacks all revolve around the nature of the process.

Speaker: We will now go to the National Chief, Phil Fontaine.

Tom Morton: It's not until the last half hour of the session that National Chief, Phil Fontaine gets his turn to speak

Phil Fontaine: I have been given a mandate from the Chiefs of the First Nations of Canada to resolve the residential schools strategy. I will not rest until I accomplish that goal. There is nothing that is more important for the relationship between our people and Canada than the resolution of this problem.

For ten years I lived through residential schools, the residential school experience. I know well that my brothers and sisters, our mother and father, my aunts and uncles and my cousins and friends lived through. I know what over 150,000 of the people I represent lived through, and I resent the need for us to tell our heartwrenching stories over and over again in order to convince you of their truth. These are the same people who were targeted by Canada's residential school policy.

Tom Morton: Well as you might be picking up, the National Chief gets very emotional at this point in his speech. An older man who's been sitting next to him gets up and puts his hands on the Chief's shoulders. It's Ojibwe elder, Elmer Courchene. He stays there, steadying the young man while he goes on speaking.

Phil Fontaine: I resent being told that Canada can't afford to pay the survivors the compensation we are owed. When Flora Merrick ran away from school because she was denied the right to attend her own mother's funeral, she was beaten on her body and arms until she was black and blue, and was then locked in a small, dark room for two weeks. The government lawyers would deny her even a penny of compensation for this abuse. They say in the appeal of her measly \$1200 award, that the punishment she received did not exceed the standards of the day. They also deny her any compensation ...

Tom Morton: The solution that the Assembly of First Nations is proposing is simple and straightforward.

Under their model, all survivors of the residential schools would get compensation: a \$10,000 lump sum, and \$3000 on top of that for every year they spent in one of the schools. They argue this is compensation for loss of language and culture, and loss of family life.

But the Deputy Prime Minister responds that loss of language and culture aren't grounds for compensation under Canadian law. And furthermore, she argues that claims need to be tested, or validated, as she puts it.

Anne McClellan: All Canadians expect their government to be accountable. They want us to ensure that claims of abuse are validated before compensation is awarded. And yes, it doesn't matter what process you put in place, what process, it is going to be painful. And what do the survivors tell us? That in fact they do want their experiences validated, and they want us to acknowledge what happened, and compensation is part of that, but only part. So it is a painful process for the victims. And that is a tragedy.

Tom Morton: However, no less an authority than the Canadian Bar Association counters the Minister's argument. They say it's not necessary to test individual claims and they support the idea of compensation for all survivors.

After the session has ended, I talk to Jeffrey Harris and Christopher Devlin from the Bar Association. They say it's time for the government to embrace what they call restorative justice.

Jeffrey Harris: And so when you look at restorative justice, what you're looking at is trying to bring a reconciliation to the process to ensure that there's an understanding as to what happened, why it happened, and to create a healing process, so that's really what we're talking about when we talk about restorative justice, is making people whole again.

Tom Morton: What about the argument that we heard from Minister today, which is that claims need to be validated, and indeed the Minister is arguing that even some of the survivors of residential schools themselves say that claims need to be validated, in the sense they need to be tested in a court of law in order for those survivors themselves to feel that what happened to them has been fully and properly recognised.

Christopher Devlin: I haven't heard anybody say that they think that those claims should be validated. What I have heard people say is that they want to talk about them, they want to tell their stories. That's some people, not all people, some people. And of course this is what the truth and reconciliation process would deal with, is allowing people who want to talk about their experience, to do so in a public forum. But I think there's a difference between that and validation, and validation means proving the claims, proving all of the elements of the claim, which again is a corrective justice, or tort approach to things, and if you move to the reconciliation and restorative justice, you're not talking of validation claims, you're talking about the opportunity to talk about it, without the element of proving what happened.

Jeffrey Harris: And if I could add, the validation process, obviously in the court room, requires cross-examination; that can certainly re-victimise survivors, and even the 40-page application process that the government has proposed with the ADR process, requires that they re-live, incident by incident, so that their harms can be measured on the compensation grid, and so they have to recount how many times they were raped, how many times they were hit, how many times they were confined. And that can also lead to re-victimisation. The truth and reconciliation process on the other hand, is good for those people who wish to tell their story and who won't be re-victimised by the telling of it. It would be a healing process for them, their choice, whereas the reconciliation payment for those who don't want to have to re-live it, but who can say 'I was there, I attended', that should be sufficient.

Tom Morton: We've had arguments in Australia where there've been some very similar issues concerning the taking away of Aboriginal children. It's been argued there by some lawyers and also by the current government that the kind of process that you've been describing, is one that would require a lesser standard of proof, that what's needed in these kinds of cases is a full court process, because unless we have that, in a sense the full reality of what's happened can't be established; that having a lesser standard of proof in the kind of process you're talking about, in a sense doesn't allow these claims to be properly tested.

Christopher Devlin: Again, when you talk about testing you're focusing I think on the tort approach to things, based upon principles of law where you look at issues of blame, fault, harm and all the issues of proof. And when you approach these types of claims in that perspective, you miss a significant component of what the residential school experience was. Those students who attended those schools were deprived of their families for lengthy periods of time, were forbidden to speak their language, were ridiculed about their culture, were punished for exercising their culture, the whole process was set up to eradicate culture, and we say that that in itself is deserving of compensation. That's it, because every single one of them went through that particular experience, not every one of them was sexually or physically abused, but every single one of them went through the experience of the intentional deprivation of language and culture.

Tom Morton: And there's already a powerful precedent for the compensation model which the Bar Association and the Assembly of First Nations are proposing, and that model comes from Ireland.

Kathleen Mahoney: In Ireland there's also a strong similarity in that they had industrial schools in that country. It wasn't race-based of course, it was class-based, where children were taken from their parents, often single mothers, and put in these schools, and actually they went into these schools on a criminal warrant. They were actually sentenced as babies sometimes, new-born babies, criminally sentenced to these schools. So what happened in Ireland as it came to a head, much like it's come to a head here, what happened in Ireland is a lady by the name of Mary Rafferty, decided to do a

documentary series on the industrial schools, which was explosive. It was extremely well-documented and it hit the national television screen, and the next day the Prime Minister apologised. That was a few years ago, and now they're in the latter stages of winding down their compensation program, and their truth-telling, and their other therapeutic programs that will be ongoing.

Tom Morton: So what's different specifically about the Irish approach? Why is it one that you feel would be appropriate for Canada to emulate in relation to the residential schools?

Kathleen Mahoney: Well for one thing they decided early on it would not be adversarial, it would be a settlement, a true settlement where liability is truly admitted. So we're at a situation in Canada now where we are advocating for more of the Irish approach in Canada to solve these problems.

Tom Morton: The Canadian government is now considering the compensation model put forward by the Assembly of First Nations, and they'll give their response later this year.

Meanwhile in Australia, the issue of compensation for members of our stolen generations is back on the agenda, with a new court case being launched against the South Australian government.

Right now it's off to the high Arctic, for a little Inuit rock 'n' roll.

Singing

Tom Morton: E5 770, tell us about that number and what it means.

Lucie Idlout: Well it's a policy that basically began in the 20s but it became an official policy in the '40s. The Federal government decided to replace names with numbers. If you lived in the West you got a W number, if you lived in the East you got an E number, and depending on the region that you came from, the first number that followed represented the region that you came from. Five represented Igloodik, I believe Arctic Bay as well as Pond Inlet, which is where my mother was originally from, and she was the 770th person in that region to be accounted for. So I guess it was a really ignorant policy, but it served as the first census of Inuit, and it was also a trick that they played on us, those clowns. Basically if you registered your children, then you got a child welfare credit, which gave them the right to steal them and send them off to schools.

Tom Morton: Inuit rock singer, Lucy Idlout. Her mother escaped being sent away to residential school, and she went on to become a schoolteacher and to work for the government and Inuit organisations in Ottawa, which is where Lucy grew up. Lucy Idlout has sung about many of the problems which confront young Inuit people, in particular, suicide. Inuit have the highest rate of suicide in North America, and the most vulnerable group are young men between 15 and 30. The lives of the Inuit have changed dramatically in the space of a generation. Jose Kusugak, the President of the national Inuit organisation, Inuit Tapiriit Katanami is living proof.

Jose Kusugak: My background if I start right from the beginning, I was born in 1950, right on the Arctic Circle, in an igloo. Of course we didn't know that there were other people in this world so to speak, except for a couple of white people, one up there, a Roman Catholic priest and the other one would have been a Hudson's Bay Company trader. So we didn't need to learn anything else, other than our life, which was a pretty socialist kind of existence, because nobody really owned anything, and everything that you owned, you could pack up a small sled and take anywhere, there was no need for writing. So when the Hudson's Bay company was in the Arctic it was a live and let live type of existence, so there were no problems at all with the Hudson's Bay Company.

We provided the furs, they provided the flour and other things that our parents wanted, ammunition and so on, and it was good until the Federal government started to go north and started to be colonised and so on.

Tom Morton: And when was that?

Jose Kusugak: That would have been in the later '50s, the beginning of the '60s, and social welfare started to kick in and family allowances, and those kind of things. People were herded into a – and that's a terrible word, but people were put into communities and no longer were nomadic. That by itself is a very terrible thing to do, to put people into a community, people who believed that living in one area for too long creates sickness. By law it was a terrible thing to do, but that's the way things were done. And soon after that, people started depending on the Government and losing their self-reliance, you know, hunting, trapping for money and so on. So it was a terrible state. And it wasn't until there was a big movement, not the baby boomers in themselves, the world changed and Inuit also changed with the world, and people started to stand up for themselves. And that's how this organisation, the one I'm in right now, was started, to let people know that they have to start standing up for themselves again.

Tom Morton: ITK, the national Inuit organisation, which Jose Kusugak heads up, began as part of that movement for Inuit to get back on their feet. Jose has a wolf skin on his office wall, and while I'm setting up for the interview, he shows me videos of his children playing in a rock pool in the Arctic spring in Nunavut, where he comes from.

Nunavut is the Inuit autonomous territory established in 1999, with its own Legislative Assembly. Just by comparison, if you imagined the Northern Territory here in Australia run by an elected Aboriginal assembly, you wouldn't be far off the mark.

And Jose Kusugak says that Nunavut is now open for business.

Jose Kusugak: Well originally, when the mining companies would go to the Arctic, oil companies and so on, our No.1 response was to say 'Get out of here, you have no business being here at all', and if we don't partake in some of the initiatives that are going on in the Arctic, we fight against it. When we see that the Arctic would be raped and the money would be taken away and the resources would be taken away. So now with the impact agreements, we're talking about 60% of the jobs will go to Inuit, 80% of the jobs will go to Inuit. Different contracts, whether it be on materials or food or transportation, will be contracted to Inuit for that region. So we're talking about adjacency kind of businesses and we know it's good for Canada, and for the Arctic, and so it's necessary I think to go to multinationals, financial institutions and so on, to say we're now open for business. This is it. You want to develop the Arctic, we're ready. And the response has been excellent so far.

Tom Morton: In Canada, the trend is not just towards more economic independence for Aboriginal people, but towards more self-government. First Nations, Metis and Inuit are taking control of more and more services such as health and education at a community level.

In Australia, not only as ATSIIC been abolished, but Aboriginal regional councils are being dismantled. Areas where Aboriginal people have had a say, such as housing and the CDEP programs are being mainstreamed, taken back under the wing of government bureaucracies.

John Borrows spent six months in Australia last year as a visiting scholar. He calls what's happening in Australia practical recolonisation.

John Borrows: I really did see that there was this attempt to I guess domesticate Aboriginal issues in Australia, almost to assimilate Aboriginal peoples into the mainstream, and in Canada the emphasis is on trying to create opportunities for flourishing in accordance with a community's wishes, the Aboriginal community's wishes, and so that autonomy through self-government or self-determination is much broader at this stage in Canada, and it doesn't seem to be the same thing that's happening in practical reconciliation as articulated by the Howard government in Australia.

Tom Morton: The government's argument has been that Aboriginal issues and the relations between Aboriginal and non-Aboriginal Australia through the '80s and the early '90s were dominated by what they called symbolic issues by a rights agenda, and that what they're focusing on now is practical improvements for Aboriginal peoples in the area of health, education, employment and so on. What's your response to that argument?

John Borrows: I think there does have to be attention paid to those practical issues of health improvement, educational attainment, life expectancy. What's interesting in travelling the path that we are in Canada, is there's study out of Harvard University, they've been working for about 10, 15 years now, studying hundreds and hundreds of communities in North America, both in the United States and Canada, and their studies show that the greater exercise of authority or the greater ability that Aboriginal peoples have to take a portion of sovereignty for themselves, then the greater their economic development opportunities are, the greater the income generation is within the community. And you see in the Canadian context, in the United States, in New Zealand, communities taking charge of their own affairs, and that leads to some of these increases in life expectancy, employment, health indicators etc., so that's the take I have on that issue.

Father Joseph Hugonnard, Principal, with staff and aboriginal students of the Industrial School, Fort Qu'Appelle, Saskatchewan, May 1885: O.B. Buell/Library and Archives Canada **Tom Morton:** Inuit people are quietly putting the rhetoric of self-government into practice. Inuit own and operate the two airlines which service the high Arctic, and they're moving into areas like hotels and eco-tourism.

And when Chris Webb isn't cutting a swathe on the ice, he's helping to run the company which operates North America's early warning radar system.

Chris Webb: My name is Chris Webb, and I'm the Aboriginal Program Co-ordinator for Nasittuq Corporation, and essentially what we do is operate and maintain the north warning system, so we have a contact with the Department of National Defence and the United States Air Force to monitor the skies for airborne threats. Our operating location obviously is the Arctic of Canada, so we're based right from the north-west territories, all down through Nunavut and the coastal region of Labrador.

Tom Morton: So you're effectively maintaining the entire northern radar warning system, yes?

Chris Webb: Yes, that's correct. We're a branch of Atco Frontec, which is a group based out of Calgary and we're 50% owned as well by Pan Arctic Inuit Logistics Corporation, so a lot of our business obviously is in the north, and we try to gain valuable work and stuff for individuals in the north as well.

Tom Morton: So is this an Inuit owned organisation?

Chris Webb: 50%, yes.

Tom Morton: And how about the work force, are there a lot of Inuit people working here?

Chris Webb: Well currently out of 250 employees, we currently have 44 Inuit employees, so obviously we'd like to get that

number up to 50%, that's our target over the next X number of years.

Tom Morton: You've been listening to Background Briefing. Our co-ordinating producer is Angus Kingston, research is by Paul Bolger, and our Executive Producer is Kirsten Garrett.

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