

Open Spaces Session Results

Participant Notes
from the

First Nations Conference on Reconciliation Processes

Held on June 1st and 2nd, 2008 at Queen's University
Co-hosted by the Queen's School of Policy Studies
and the First Nations Technical Institute (FNTI)

Results of Open Space Sessions

The results of the deliberations of the breakout groups are briefly summarized for each of the 14 topics that emerged from the larger assembly, followed by a list of the actual questions, issues and strategies raised by each group.

1. Youth Engagement/Developing an Aboriginal Youth Voice

This group focused on practical strategies for engaging Aboriginal youth in the reconciliation process, including using a variety of media and interaction between youth and Elders to promote the meaningful exchange of ideas and discussion of their history, values, skills, and perspectives, and to create something both symbolic and real in the lives of Aboriginal youth.

- We need to make our language accessible to all participants in all circles!
- Group members suggested several practical strategies:
 1. Video documentary with art, music, words, sets. Elders/Youth speaking their truth and ideas on reconciliation. Showing and speaking about the good stuff they are accomplishing.
 2. Traditional Retreats for youth and Elders → History, skills, and values; reintroducing ceremony, respect, strengths and focus/tools for living.
 3. Inclusion of teaching segments in reports → History (truth), worldviews, Aboriginal perspectives, knowledge keepers, youth, survivors, and ancestors.
 4. Youth forums → At a minimum, three Youth and Elders conferences – One for youth, One for elders, and one with them together. Speaking to respect and doing something concrete – making quilts, murals, posters, and bringing all kinds of youth/elders together to work on similar things and making the values come alive for youth.
 5. Create a symbol for reconciliation – a badge or pin, a memento, or award designed to acknowledge *all* courage, bravery in making change, protecting or promoting history, pride. The template could be designed and vetted by youth at forums run by elders, and endorsed by both at the final joint conference. Universal symbol of grace, hope and respect.
 - We will meet again at forums upon invitation to engage or facilitate, teach, record or encourage the young people to find and share their voices.
 - Need us to guide, train in recording or filming or music, and transcribing when requested. We will help to promote the inclusion of people who are youth oriented to train, teach, and assist or welcome facilitators.

2. How can we talk about healing without hearing the words of any survivors of residential schools? We need to ask: What do *you* need in order to heal? And despite what you have gone through, where do you get your strength to go on?

A number of questions were raised concerning the healing process for individuals and cultures; the effects of government policy, the policy-making process, and legal systems; accountability, and the responsibility for truthful engagement.

- Is it right to turn Reconciliation into another government program? How do we close the disconnect between policy makers and grassroots residential school survivors?
- How can we have reconciliation without truth? How can we bring the people out who were witnesses at the schools? Who has accountability?
- How can we trust this will make a difference?
- Some survivors have said, “Tell the children what *really* happened and don’t let them forget. We have to know our past before we can go forward”.
- *Recommendation:* All people must be educated about the *real* history and be willing to examine and deal with it, accept reality with *all* modes of learning media(s) arts, good medicine, plays not policies.
- We also have to remember *our* responsibility to healing. We have a responsibility to ensure this process does not stop after five years. We have to remember the children not yet born.
- How do we reconcile different legal systems?
- Not only individuals were hurt, cultures were hurt. Culture and languages/loss not recognized in court.
- What are the policies and practices that we can adopt now to (respond) mitigate the social/cultural and economic harms that now exist?
- How does EVERYONE come together and engage truthfully? Because of different histories and different understandings. How do many peoples come to a single place to work together?

3. “We see what is behind our own eyes”

Perceptions of stakeholders and others vary based on history, experience, awareness, attitudes, etc., but perceptions can change through experience and knowledge. Questions were raised about perceptions and what impact they might have on a reconciliation process.

- Your perception towards reconciliation, do you believe this will work or not?
- Positive or negative viewpoints - believe or not believe.
- History impacts our perception on the way we view Aboriginal people.
- The degree of awareness about Aboriginal people impacts our views of Reconciliation.
- Your perception can change overnight towards Aboriginal people by visiting a remote First Nations community.
- Whitehorse, South Africa, you need to actually visit (up close and personal affects your perception).

- You cannot heal yourself until you heal your community!
- Not everyone's experience of residential school is the same; the reconciliation process needs to be clear and not general, one structure cannot work, it needs to be complex in order to have a positive outcome for everyone.
- What is the government's perception towards truth and reconciliation?
- Window dressing to perceive that they are doing something for Aboriginal peoples?
- Government represents the public eye that perceives Aboriginal circumstances negatively.
- Media (i.e. newspapers) can affect the general public in a positive sense when passing on information to affect peoples' perceptions of residential schools and the outcome of the reconciliation process.
- Fear: Government might state we "have done all we can do, no more for the Aboriginal people" at the end of the reconciliation process.
- Truth will come from individuals; reconciliation needs to occur for Canada as a country.
- The reconciliation process will have a variety of solutions and outcomes, hopefully, a majority will be satisfied.
- Adoption of other reconciliation processes that have worked will work here.
- All the government legislation and literature states we are doing well, however, true action by the government is largely negative – this is why my perception of reconciliation might not work.
- Your own professional experiences and perception can affect the way you view an Aboriginal community for good or bad.

4. **How do we engage Aboriginal and non-Aboriginal communities and individuals in the TRC process?**

Ideas were exchanged on how best to engage Aboriginal and non-Aboriginal communities in the process. For Aboriginal communities, suggestions included recognizing differences between communities, focussing on individual relationships, and ensuring isolated communities are included. For non-Aboriginal communities, communications strategies involving news media, forums, outreach, and art, were discussed.

- How can governments support Aboriginal cultures in both Aboriginal communities and in "mainstream" society?
- **Aboriginal Communities:**
- Ensure process is safe.
- Commit to how information will be captured and kept recorded.
- Tailor events to community needs and avoid a "cookie cutter" approach.
- Make it about individual relationships.
- Reaching hard to reach communities such as in the North is key.
- **Non-Aboriginal Communities:**
- A communication strategy is key.
- Working with the media to shape the stories.

- Forums to bring Aboriginal and non-Aboriginal peoples together to reduce/eliminate stereotypes.
- Broadcast some of the hearings?
- Credible speakers doing outreach (e.g. with the RCMP).
- Preparing individuals to take information opportunities to educate.
- Involve artists in communication strategy/outreach.

5. What is resource revenue sharing?

A discussion of the legal, ethical, economic and political aspects and approaches to resource revenue sharing revealed many questions and issues that must be addressed in the reconciliation process.

- Rent?
- Shared jurisdiction?
- Development fees or licensing.
- Impact/benefit agreements.
- Based on Treaties, or treaty relationships.
- Section 35 rights: what level of “recognized” or “affirmed” – political? Legal? Adversarial?
- Reconciliation is moral.
- Negotiations – unequal bargaining power.
- Money is evidence/proof.
- Information and knowledge are power. What is left? Future or past resources?
- What is fair sharing?
- Market approach? Rights approach?
- Do we need to sacrifice our way of life (traditional economy) to be accommodated here?
- Imposition of “majority rule” in large agreements could be detrimental to most impacted.
- Regional approaches to resource revenues sharing could be dangerous and divisive.
- Resource development should be led by the rights-holders: First Nations/Ontario/Province/Companies in a more limited way.
- Treaties are *sacred* – they represent the existing relationship.
- Trying to also benefit from those resources surrounding First Nations. “Reconciliation carries a bigger burden for First Nations therefore likely not TRUE RECONCILIATION.
- This is a 20-50 year project for Canada.
- Indian Residential Schools Settlement is still an adversarial process. How to become allies/good neighbours?
- June 11th apology will be hollow.
- Should be transformative instead.
- Aboriginal Education Policy Framework in public school. Approach that neglects the First Nations schools.

- “Control” and jurisdiction in any of these issues is most important.
- Delegated approach is likely to fail.
- Inherent rights approach is a truer reconciliation of our societies.
- Division of powers should not impact or get in away of sacred relationship with Queen/Crown.
- First Nation interests for land and resources take a back seat to company/economic interests of the Province.
- These lands are rich because we protected it for millennia but cannot benefit from it.
- Treaty Council were reconciliation (Van der Peet case).
- How to live together?
- How to share lands/resources?
- Intercultural exchange (education, economic development etc.)
- Treaty renewal and comprehensive land claims – spirit of cooperation is no longer there (contrast with language used in historic treaties).
- Ignoring promises over long history – must correct through “reconciliation”.
- Resources revenues in future and past need to be shared.
- UN Declaration is a barometer of how far away Canada (Provincial and Federal) policies are from true reconciliation.

6. Lands/Resources and Reconciliation: How do governments *share* the responsibility of looking after the land, including indigenous labour perspectives on land?

Reconciliation of differences in philosophy toward land, approaches, planning processes, drivers for change, technology and governmental relations were included in the discussion on stewardship of lands.

- People can do it.
- Governments cannot.
- Reconcile our relationship with the land first.
- Philosophical differences in land development:
 - Time/space
 - Burials
 - What can be “compensated for”?
 - Meaning of land?
 - What are our responsibilities?
 - Quantification of land and value.
 - Balance of development!
- Is reconciliation possible based on these differences?
- Crises are here NOW.
- Indirect approaches may work toward outcomes.
- Non-partisan think tanks are useful resources.
- Ecosystem based approach is key.
- Partnerships? Municipal, Crown, third party: i.e. Red Hill Valley Management Plan.

- New Canadians? Demographic changes? Increasing urbanization and the “naturalization” of newer populations are all key issues.
- Crown “undertakings” on lands under claim/treaty?
- Whose game? Whose rules?
- Present-day environmental protection – too much land in general “Joe Public’s” mind.
- Cutbacks for protection and management.
- Drivers for change:
 - Scarcity of resources
 - Changing economy
 - Old economy of cheap energy
 - Quality of life issues.
- Consultation – Ontario and Quebec governments have it backwards.
- “Lands for life” without First Nations/Aboriginal consultation.
- Who is government speaking to?
- Valid information on both sides is needed (historical as well).
- Involve First Nations/Aboriginal communities in planning process.
- Complicated factors such as the legal framework and preconceived plans.
- Policy frameworks are problematic.
- Aboriginal and First Nations want to assist in shaping frameworks not just acting in an “advisory” capacity.
- Education:
 - Wisdom of the Elders
 - Scientific community
 - Access to mainstream technology
 - Capacity of First Nations/Aboriginal communities.
- Equity.
- Cuts to environmental education.
- Expansiveness of Aboriginal land use not understood in Canadian law.
- Aboriginal “constructs” of a right and responsibility versus legal interpretations of that.
- Practices are waning in Aboriginal communities.
- To do it we must show it.
- How to bring First Nations/Aboriginal philosophy into practice (values, ethics)?
- Resources: Hunters of Mistassini.
- Government and Aboriginal/First Nations relations:
 - Quit stalling
 - Too many processes
 - “Founding fathers” ideas – still adversarial
 - More cooperative approaches are not encouraged because it may “set precedent” for s. 35 rights beyond hunting, fishing, etc.
 - Priorities of the Crown versus basic survival of Aboriginal peoples.

7. Changing the Justice Paradigm

This discussion focussed on restorative justice, the adversarial legal system, the differences between urban and rural settings, notions of guilt vs shame, and what is required to create suitable options.

- Adversarial system and the need for traditional systems.
- Restorative justice; people used/viewed as a renewable resource (i.e. some people are treated as if they are disposable).
- Kingston is the penal capital of Canada
- How to get roots down here for restorative justice at the institutional level? Proponents are facing a lot of resistance at all levels of government.
- We need to use culturally appropriate methods.
- Drugs and alcohol/tobacco use – the role of the family and community to support people involved in the criminal justice system better.
- Urban versus rural settings: shaming versus legal “guilt” in the system.
- Guilt is felt in isolation whereas shame is communitarian.
- In smaller communities, the family feels shame.
- Responsibilities enshrined in the original Treaties. Held to account and victims are willing to accept the apology.
- The adversarial system insulates families from feeling responsibility.
- Traditional mechanisms somehow no longer work/they have broken down.
- How do we humanize the court system when it is cheaper just to plead guilty?
- How do we create options for people? Make each system (traditional and Crown) equally meaningful?
- Sentencing circles are open to Aboriginal and non-Aboriginal people in London, Ontario; takes time and attention/resources.
- Need for family and community involvement in these processes.
- Presence of family is lacking in many places.
- Language and the importance of language – utilizing the language of the Great Law. Judges and Crown lawyers come from a totally different perspective.
- Only certain things can be diverted to justice circles.
- We need to show integrity in the Court and honesty – the Canadian legal system has created so many intermediaries.
- The system has driven people (Crown) to be risk averse; not supported to step “outside” the norm.
- Law and order political agenda is a major driver, as is the media in how they frame certain justice-related issues.
- Fear is also a major system driver.
- Leadership from the top is key to breaking these patterns.
- Need political will as well.
- Start where “system” starts – inspire change in legal education/law schools.

8. Understanding Aboriginal Consultation as different from “public consultation/engagement”.

Respect, patience, acknowledgement and inclusiveness in consultation can be incorporated into a better structure for decision-making. Education and training would benefit participants in the process.

- Points of consideration: Different nations need to be taken into consideration (all), because they have been segregated. Each has different protocols.
- This process takes time! Must be done as early as possible.
- We need to define what “adequate” engagement means.
- Need a better structure for decision-making.
- We public servants need to educate ourselves – this takes time and training.
- Respect must be present; humility in good measure, i.e. for languages.
- Patience is key.
- Resources are required – people and financial.
- We need a radical restructuring of these processes: acknowledgement; inclusiveness; avoid becoming adversarial.

9. How do we educate public servants on Aboriginal culture, issues, history and solutions?

Buy-in from senior management, building core competencies, continuous learning and exposure to Aboriginal communities, were identified as key elements in educating public servants on Aboriginal issues.

- Ontario government has made this a priority through Shelly Jamison/Regional Councils.
- “Duty to consult” – powerfully presented but still there is the perception that Aboriginal issues are like immigration issues; all classified as “diversity”.
- Need inventory of courses to be available to public servants.
- Need an interactive approach.
- Get senior management on board.
- We need to change education policy in Ontario to reflect the true history of Aboriginal peoples and colonization.
- Go listen to communities – do not be limited by lack of education or academic training.
- Education and “core competencies” – attitudes; dialogue; management culture of respect; “talk with” not “talk to”; continuous learning not a one day course.
- Greater exposure to communities.
- How are governments going to educate their people on what has happened and is happening today?
- Create a liaison council for senior civil servants and Aboriginal leaders.

10. Immigration: Do we see this as a threat or an opportunity for reconciliation?

Values inherent in diversity can be seen as an opportunity for reconciliation, and outreach to immigrants can contribute to the process.

- An opportunity from the perspectives of values inherent in diversity.
- Awareness and education are very important at the grade school level.
- Distinctions made between Treaty Europeans and newer immigrants. Need to reach out to newer community members more. In many cases, to relate; possibly survivors' stories may resonate with immigrants who are survived similar traumatic events.

11. Developing a cross-sectoral public education strategy.

Defining outcomes and identifying motivations and objectives for public engagement, the importance of dialogue, and sharing promising public engagement practices including experiences from other countries, were suggestions for addressing this topic.

- It is important to define outcomes for public engagement in Truth and Reconciliation.
- Why do we (government, churches, schools etc.) want to engage in Truth and Reconciliation? *What* do we want to do? *How*? With whom? Critical importance of Aboriginal and non-Aboriginal dialogue in moving Canada, as a nation, forward.
- Focus on values.
- Research and share promising public engagement practices also looking at South African, Australian and other contexts.
- Develop shared messages.
- Know about the Royal Commission on Aboriginal Peoples outcomes – what worked and what didn't and why.
- The group hopes to meet again: Can Queen's provide an electronic forum for further discussions?
- Find additional partners; need participation of Aboriginal and non-Aboriginal peoples.

12. Primary to Post-Secondary Institutions

Creating appropriate teaching tools, integrating Aboriginal history and issues into the curriculum instead of teaching them in isolation, and providing resources for advisory bodies, institutions and education campaigns are included in the recommendations for making changes to assist educational institutions.

- How do we assist in making change so that education institutions learn more about Aboriginal history and issues?
- Mandate policies to reflect change and properly implement them.
- Create positions for teaching, consultants, specialist and advisors.
- TRC: create teaching tools and resources that are age-appropriate.

- Do not teach Aboriginal history and issues in isolation; integrate them into the curriculum.
- Pair on-territory schools with off-territory schools.
- Funding disparities between provincially funded schools and federally funded schools; this must be fixed.
- Cross-cultural training – create specific institutions to disseminate the information.
- Create a “Centre of Excellence” to increase access to information and knowledge and make this access more transparent.
- Develop advisory groups and councils for educational institutions.
- Consolidate resources and create a massive public education campaign with CDs and DVDs.
- Support Aboriginal post-secondary education institutions.
- Use symbolic adaptations (i.e. the Inukshuk).

13. How do non-Aboriginal people become allies to Aboriginal peoples in this journey?

The exchange of ideas on how non-Aboriginal people become allies in the process focussed on several key elements including knowledge, meaningful communication, inclusive and respectful dialogue, challenging stereotypes, and finding a universal reason to build bridges.

- History/knowledge are important to be told truthfully.
- Education
- Cross-cultural dialogue that is inclusive and respectful.
- Challenging denial, racism and white privilege.
- Challenge racist stereotypes in white communities.
- Power over versus power with.
- Ally = respect, reciprocity, and more – it has to be felt and valued.
- What does being an ally to Aboriginal people mean to you?
- Returning to the Two Row Wampum and the Covenant Chain – we are ALL treaty peoples, with this common connection as equals.
- Do by showing and be gracious and understanding.
- Cultivate *meaningful communication*.
- We need to develop a common understanding of what becoming an ally means.
- We need media training for Aboriginal and non-Aboriginal journalists and more Aboriginal journalism programs because the media is so powerful in our society.
- We need to change teacher education and develop proper curriculum.
- We need to respect and remember protocols developed long ago between nations.
- Dignity.
- We need transitional people who can bridge these two cultures and worldviews and act as intermediaries.
- We need a reason to build bridges that is universal.
- “Truth without kindness is nothing but judgement”.
- We need allies who will change those in the centre of power and work with, and for, the empowerment of those on the margins (who ever they may be).

- We need to bridge the gaps in our understanding and awareness.
- We need to not homogenize Aboriginal peoples and communities.
- We share the land and therefore have common experiences – this is a place to start.
- Policy and law are barriers – institutional and structural barriers.
- We need the media to report good messages versus simply reporting on “blockades” etc.

14. First Nations/Canada/Ontario Agreement on Collaborative Public Services

The goals of the stakeholders involved in collaborative public services were identified as being similar, and can be better achieved through ongoing consultation, partnership building, and building capacity in Aboriginal communities.

- What models are available? How do we do collaboration?
- Implementation strategies – our goals seem to be aligned in many places.
- There are two Canada-Ontario agreements in place – one in 2004 and one in 2007.
- Need to build capacity in Aboriginal communities.
- What are the public services being administered in Aboriginal communities in Ontario?
- Occupational health and safety, sewer/water, housing (codes), trades qualification, education, public health, (food quality), and economic development.
- Need to consult early and often and build partnerships.