The truth about truth and reconciliation

by Conrad Black

It is shocking and dangerous that the final report of the Truth and Reconciliation Commission of Canada, published in 2015, has been so widely accepted as a full accounting of Native grievances and the basis for policy changes and reparations to accommodate those grievances. Almost the only serious critical analysis that has been given to this massive report is the excellent and very readable book, “From Truth Comes Reconciliation,” which was edited by Rodney Clifton and Mark Dewolf, and published by the Frontier Centre for Public Policy. Every Canadian concerned with Canada’s relationship with its Aboriginal peoples, which forms the basis for the

rampant but fraudulent truism that this country is rotten with ”systemic racism,” should read this book. There is general agreement, as there should be, that Aboriginal people have legitimate grievances, that the country’s policy in regard to them has been unsuccessful and that this is a serious policy challenge where we simply have to do better. Justice Murray Sinclair, who chaired the commission, promised to “provide Canadians with a permanent record that weaves all experiences, all perspectives into the fabric of truth.” He and his fellow commissioners, Chief Wilton Littlechild and Marie Wilson, fell grievously short of delivering on that promise.

There were, by best estimate, around 200,000 Indigenous people in what is now Canada when the first European explorers and settlers arrived in the 16th century. The Natives were extremely skilled woodsmen and had approximately the same life expectancy as Europeans, but had a Stone Age civilization that was almost entirely nomadic, had very little agriculture, very few permanent structures, no textiles and, though they had tools, they were mostly made of animal bones. The economic basis of the colonization effort under the French from the beginning of the 17th century to the end of the Seven Years’ War in 1763 was to buy the valuable fur of animals provided by Aboriginal hunters and sell them into the lucrative European market for fur coats and hats. They essentially traded firearms, alcoholic beverages and other articles to the Natives, as the European trading posts and settlements gradually expanded westward.

The French conducted a Christianizing mission, which attempted to assist the Natives in adopting European norms, though the implicit notion that they were primitive heathens naturally incited considerable resentment. With the British victory in the Seven Years’ War, Canada joined the British Empire and King George III issued a royal proclamation in 1763, which stated that any transfer of lands involving First Nations would be a “treaty between sovereigns” – i.e., Europeans were

forbidden to buy land from Indigenous people, who had a collective right to self-government on the land that they occupied, although they were considered to be ultimately under the authority of the British Crown. Many of the treaties were notoriously violated by the white co-contractants, but there were also many judicial decisions that made reasonable attempts to ensure the Aboriginal parties were treated fairly. In the normal spread of settlement and economic development, the traditional Native sources of food shrank with the buffalo herds and the expansion of systematic agriculture. It was British government policy throughout to encourage First Nations to become Christian agrarian societies, as this was seen as the best and fairest method of helping Aboriginal people adapt to modern civilization. This was the burden of the Gradual Civilization Act, 1857, whose stated purpose was "to encourage the progressive civilization among the Indian tribes … and the gradual removal of all legal distinctions between them and Her Majesty's other Canadian subjects … and to facilitate the acquisition of property and of the rights accompanying it."

In the meantime, in 1842, one of Canada's most enlightened governors, Charles Bagot, constituted a commission, which determined that the Natives could not progress without being educated. From this decision, the Methodist minister Egerton Ryerson, Upper Canada's superintendent of schools for more than 30 years, was commissioned to study Indigenous education. Ryerson designed a separate, denominational, residential and agriculturally oriented school system for Aboriginal children (for which he has been viciously pilloried, to the point that Ryerson University is contemplating a name change). The British North America Act of 1867 made this a federal responsibility. The founding prime minister of Canada, John A. Macdonald, and his successor, Alexander Mackenzie, who passed the Indian Act in 1876, both aimed to protect Natives from dishonest whites and to assist them in becoming educated and self-sufficient farmers with a stable, post-nomadic

residential livelihood. Macdonald gave them the right to vote. There was a series of revisions to the Indian Act and 11 sequential treaties, and in 1920, school attendance was deemed compulsory for Indigenous children between the ages of seven and 15. These weren't perfect solutions, and the residential school system did end up causing real harm to many people, but nor were they the malign plans of evil men.

In the 1950s, the government of Prime Minister Louis St. Laurent began to integrate Native and non-Native students, and, following the Hawthorne Report in the 1960s, Lester B. Pearson's government made substantial improvements in the quality of services for Indigenous people in co-operation with the provinces. The Hawthorne Report saw the beginning of the "citizens plus" concept, whereby Natives were recognized not only as Canadian citizens, but as a special section of the population with a distinct civilization of their own, which they had every right to conserve and would be assisted in protecting.

In 1968, Pierre Trudeau's government produced a white paper on Indian policy, which denounced the "different status" afforded to First Nations as leading to "a blind alley of deprivation and frustration." The paper called for the outright integration and the dissolution of the Department of Indian Affairs, for the repeal of the Indian Act, for the existing treaties to be "equitably ended" and for the Crown to divest itself of reserve lands and transfer control to First Nations. Somewhat like the French-Canadians responding to the Durham Report's advocacy of the assimilation of French-Canadians in 1840, the Natives redoubled their agitation for distinctive status and demanded radical improvements in their living standards and separation from, rather than integration into, the larger society of Canada. Trudeau executed a U-turn and, in the Constitution Act, 1982, the existing treaty rights of the Aboriginal peoples of Canada were "recognized and affirmed."

At this point, Canada had been vaguely grappling with this problem with undoubtedly good, if not overly well-informed or imaginative, intentions for 220 years. With the government's Royal Commission on Aboriginal Peoples, which was established under Prime Minister Brian Mulroney and reported in 1996, official policy zigzagged again, though most of the country remains entirely ignorant of this. In the words of Alberta conservative political scientist Tom Flanagan, "Canada will be redefined as a multinational state embracing an archipelago of Aboriginal nations that own a third of Canada's land mass, are immune from federal and provincial taxation, are supported by transfer payments from citizens who do pay taxes, are able to opt out of federal and provincial legislation and engage in 'nation to nation' diplomacy with whatever is left of Canada."

It was on the foundation of this policy quagmire that the fearful misnomer of the Truth and Reconciliation Commission report was based. If no overarching event intervenes, this report will be reviewed in detail here next week. The sooner Canada stops shadow-boxing with its conscience and gets to grips with the implications of what is afoot, the better.

First published in the