RESTITUTION IN CANADA

4 Seasons of Reconciliation

MODULE 09
What would restitution look like in Canada?

In this module we will:
* identify what constitute restitution and the forms it may take;
* examine the steps the learner may take to be a part of reconciliation and restitution;
* identify meaningful ways to incorporate reconciliation in your workplace.
“After some 500 years of a relationship that has swung from partnership to domination, from mutual respect and co-operation to paternalism and attempted assimilation, Canada must now work out fair and lasting terms of coexistence with Aboriginal people.”

- Royal Commission on Aboriginal People, 1996
WHAT IS RESTITUTION?

- ‘The act of returning something that was lost or stolen to its owner.’
- ‘Making good on or giving an equivalent for some injury.’
- ‘A legal action serving to cause restoration of a previous state.’

-Webster’s Dictionary
RESTITUTION IS ABOUT MAKING IT RIGHT

RECONCILIATION THROUGH ACTION
RESOLVING THE LAND ISSUE

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RESTITUTION IN CANADA

Treaty No.9 Commission, Commissioners land and Long Lake, ON (1906)
Treaties were created with the intention to share the land equitably. To gain permission to enter Indigenous territories and the alliances of Indigenous Nations to protect our borders and assist settlers to survive on these lands, Treaties formalized an equitable co-existence. Yet, today, Canada now controls nearly 99% of the land while Indigenous People own less than 1%.

**What would a map which honours treaties and reconciliation look like?**
“We have a large problem in Canada: we’re still colonized. And restitution has to be made for that. The beginnings of restitution is, of course, having Indigenous People negotiating with Canada for a fair and equitable sharing of the country.”
REPAIRING THE DAMAGE OF RESIDENTIAL SCHOOLS

A group of female students and a nun pose in a classroom at Cross Lake Indian Residential School in Cross Lake, Man. (1940)
Residential Schools impacted nearly 7 consecutive generations of Indigenous children. The trauma associated with residential schools has cascaded through generations, through what is known as Intergenerational trauma, in some cases, getting worse with subsequent generation.

Conditions of marginalization, joblessness, poverty, family violence, drug and alcohol abuse, emotional and sexual abuse, family breakdown, homelessness, imprisonment, and early death continue to persist for many generations of families. As a result many Indigenous People find themselves over-represented in this country’s prisons system, child welfare system, unemployment rate and homeless rate.
Commission chairman Justice Murray Sinclair (centre) and fellow commissioners discuss the TRC’s report on Canada’s residential school system (2015)
The TRC’s report on Canada’s residential schools calls the implementation of the system nothing short of a “cultural genocide”. The Calls to Action make 94 recommendations — everything from greater police accountability and reducing the number of Indigenous children in foster care to changes in the justice system to address the over-representation of Indigenous people incarcerated. Many calls relate to education and public awareness.

Despite this, the undertaking of reconciliation, which seemed so imminent back in 2008 when the Prime Minister, on behalf of all Canadians, apologized to survivors of residential schools, has by some accounts faded. Reconciliation remains a promise that must be continually worked upon by settlers and Indigenous People alike.

“Without truth, justice and healing, there can be no genuine reconciliation.” – Justice Sinclair
ADOPTING THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE
To achieve justice, Indigenous Peoples and their allies have often elevated their struggles from the local to the international level. The UN Human Rights Committee and other world bodies are ready to support the cause of the world’s 370 million Indigenous Peoples fighting to undo the damage done by usurpation of their people’s land and liberty under the banner of colonialism.

As UN studies have concluded, recognition of Indigenous People’s right to self-determination and their rights to their land are absolutely essential for their survival.
“Canadians need to understand that Aboriginal peoples are nations.”

-Royal Commission on Aboriginal People
“That is, they are political, cultural groups with values and lifeways distinct from those of other Canadians. They lived as nations for thousands of years before the arrival of Europeans. As nations, they forged trade and military alliances among themselves and with the new arrivals. To this day, Aboriginal people's sense of confidence and well-being as individuals remains tied to the strength of their nations. Only as members of restored nations can they reach their potential in the twenty-first century.”

-Royal Commission on Aboriginal People (1996)
CLOSING THE GAP IN LIVING CONDITIONS
CLOSING THE GAP

DRINKING WATER

EDUCATION

CHILD WELFARE

HEALTH

HOUSING
Canada is #2

For the second year in a row, Canada has been named the 2nd best country in the world, and 1st in quality of life.

First Nations #64

In comparison, First Nations reserves rank 64th and lower due to appalling living conditions.

ENDING COLONIALISM & FORCED ASSIMILATION
RESTITUTION FOR

COLONIALISM

We now widely recognize that European settlers do not have the right to exclusively benefit from the natural wealth and resources of Indigenous Peoples. It is colonialism and its racist doctrines which gave settlers the moral rationalization to economically exploit Indigenous lands, exterminate Indigenous cultures and dominate the lives of Indigenous People. The process of colonization has also contributed to a cycle of dysfunction within Indigenous communities.

In this era of reconciliation, it is time for Canadians and Indigenous People to remove the final obstacles of colonialism, together. Together, we can accomplish this as friends and partners, as we have at times in the past. This country’s path towards decolonization is clear. We can all play a positive role in reconciliation.
“To Canadians who fear the changes that this will bring to this country, I can only say to them that there is no downside to justice. Just as there was no downside to abolishing slavery, to the winning of equal civil rights for blacks in Canada or the United States, to the emancipation of women. The moves away from racism and misogyny in the past have only enriched the lives of all of us.”

-Art Manuel, ‘Unsettling Canada’
FULL RESTITUTION ULTIMATELY MEANS:

Indigenous People have the right to self-determination. They are Nations on this land. Canada can decolonize and honour the Treaties.
What would restitution look like in Canada?

In this module we have:

* identified the concept of restitution and the forms it may take;
* examined the steps the learner may take to be a part of reconciliation and restitution;
* identified some steps to incorporate reconciliation in your workplace.

"We have described for you a mountain. We have shown you the path to the top. We call upon you to do the climbing."

— Senator Murray Sinclair