

# The Ethics of Reconciling: Learning from Canada's Truth and Reconciliation Commission

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[See table of contents](#)

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Article abstract

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1. who does the TRC include in the process of reconciliation? And
2. how might I, as someone who is not Indigenous (specifically, as someone who is "white"), be engaged by the TRC?

Ethical queries arise which speak to broader concerns about the TRC's capability to fulfill its public education goals. I raise several concerns about whether the TRC's plan to convoke the collective will result in over-simplifying the process by relying on blunt, poorly defined identity categories that erase the heterogeneity of those residing in Canada, as well as the complexity of the conflict among us. I attempt to situate myself in-between proclamations of "success" or "failure" of the TRC, to better understand what can be learned from contested truths and experiences of uncertainty.



## THE ETHICS OF RECONCILING: LEARNING FROM CANADA'S TRUTH AND RECONCILIATION COMMISSION<sup>1</sup>

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### ABSTRACT

In 2008, the Truth and Reconciliation Commission of Canada (TRC) was initiated to address the historical and contemporary injustices and impacts of Indian Residential Schools. Of the many goals of the TRC, I focus on reconciliation and how the TRC aims to promote this through public education and engagement. To explore this, I consider two questions:

- 1) who does the TRC include in the process of reconciliation? And
- 2) how might I, as someone who is not Indigenous (specifically, as someone who is “white”), be engaged by the TRC?

Ethical queries arise which speak to broader concerns about the TRC's capability to fulfill its public education goals. I raise several concerns about whether the TRC's plan to convoke the collective will result in over-simplifying the process by relying on blunt, poorly defined identity categories that erase the heterogeneity of those residing in Canada, as well as the complexity of the conflict among us. I attempt to situate myself in-between proclamations of “success” or “failure” of the TRC, to better understand what can be learned from contested truths and experiences of uncertainty.

### RÉSUMÉ

En 2008, la Commission de témoignage et réconciliation du Canada (TRC) a lancée ses travaux pour remédier aux injustices historiques et contemporaines des écoles résidentielles sur les peuples autochtones. Parmi les nombreux objectifs de la TRC, je me concentrerai sur celui de la réconciliation, en particulier sur la manière dont la TRC vise à la promouvoir à travers l'éducation et l'engagement publics. Aux fins de mon argumentation, je considère deux questions :

- 1) quels individus la TRC inclut-elle dans le processus de réconciliation?
- 2) comment pourrais-je, en tant que non Autochtone (spécifiquement, en tant que personne « blanche »), m'engager dans la TRC?

Des questions éthiques plus larges surgissent quant à la capacité qu'aurait la Commission de témoignage et réconciliation à s'acquitter de son rôle qui est d'enseigner et de sensibiliser. Je soulève plusieurs préoccupations dont l'une est de savoir si le but de la TRC de convoquer la collectivité ne risque pas d'aboutir à une trop grande simplification d'un processus qui, en s'appuyant sur des catégories identitaires mal définies, risque d'éliminer l'hétérogénéité des personnes résidant au Canada, ainsi que la complexité du conflit entre nous. Afin de mieux comprendre ce qui peut être appris de vérités contestées et d'expériences incertaines, j'essaie de me situer entre les deux pôles de « réussite » et d'« échec » de la TRC.

The idea of reconciliation between Indigenous and non-Indigenous people in Canada is not new but there is a renewed effort being undertaken to push Canadians to reflect on Indigenous and non-Indigenous relations through the development of a truth and reconciliation commission (hereinafter the TRC) about residential schools. The TRC has several goals, including: to provide an opportunity for those directly and indirectly impacted by the residential schools system to tell of their experiences; to act as a mechanism for providing official acknowledgment to those who have been subjugated and ignored; to attempt to establish an historical record of what happened during this century long oppressive policy; and to promote reconciliation through various means of public education. It is the last goal that I focus on here.<sup>2</sup>

Matt James speaks to a profound problem in Canadian society – whether Canadians can recognize that “our” country is not so democratic and not so dissimilar to the other countries that have had truth commissions.<sup>3</sup> The process of engaging the country in a national effort of understanding is incredibly complex. While it would be naïve of me to expect that the TRC alone could facilitate a public dialogue about residential schools and “race relations,” it is still necessary to analyze the TRC’s attempts at convoking people into this process of reconciliation. Specifically, I want to explore how the TRC is attempting to involve and educate “Canadians” – those who are not direct victims/survivors (immediate or intergenerational) of residential schools (but who are indirectly impacted by a shared history and geographic boundaries) or direct perpetrators (but can be treated as complicit in upholding a system that allows for gross violations to take place). As explained in detail below, the TRC tends to depict that these “Canadians” are generally not Indigenous, and as I argue, we need to also call into question the possibility that the word “Canadians” often conjures up depictions of people who are “white.” A substantial body of literature exists on truth commissions. Victims/survivors, perpetrators, and even institutions are well considered, and importantly so, yet often the largest, most abstract group involved in a reconciliatory process, receives superficial analysis.<sup>4</sup> This large mass of “the general public” (here, “Canadians”) is inadequately addressed and under-defined in the truth commission literature, and as I argue, it is also poorly dealt with by the TRC. This should be particularly concerning, as the TRC considers this sizable group of people to be an integral part of reconciliation. A commission that includes reconciliation as a goal arguably has higher stakes than one

focused just on truth, as it requires broader participatory expectations and social change. I argue that reconciliation, in this context, needs to be analyzed using the lens of ethics.<sup>5</sup>

The concept of reconciliation is an ethical matter. So too is the *process* through which reconciliation is encouraged. The TRC’s approach for engaging “Canadians” for the purposes of reconciliation creates ethical dilemmas that require consideration. To explore this assertion, I work through two main questions: 1) who does the TRC include in the process of reconciliation? And 2) how might I, as someone who is not Indigenous (specifically as someone who is “white”), be engaged by the TRC? I argue that part of engaging Canadians in a meaningful, ethical way requires that heterogeneity and contestation be embraced and understood as something that we can learn from and work with. As it stands now, the TRC’s mandate for educating the masses relies too heavily on simple ideas about identity and what it means to “get along.” The potential exists with commissions and processes of reconciliation, that they can end up reinforcing the very structures that they are supposed to challenge.<sup>6</sup> With the TRC, one can find assumptions about homogeneity being made, and by not working well enough with an acknowledgement of the messiness of racialized identity, colonial relations, and the deeply ingrained conflict that arises from them, so too could the TRC perpetuate, rather than ethically challenge, structures of oppression.

Throughout my analysis, I attempt to work in-between assertions that the TRC will “fail” or “succeed.” This approach is not to evade committing to an opinion of the TRC, nor is it to say that one cannot be critical of the work of the TRC and question its approach and ability to achieve its goals. Rather, my hope is to draw attention to the complexity of experiences with the TRC. When strategizing about reconciliation, living together, and more generally when striving for social change, we ought not to fall into the dangers of simple and dichotomous conclusions of an approach that is entirely “good” or utterly “bad.” Multiple, contradictory meanings run through all of our experiences. By working at an “in-between,” I hope to learn from tensions and ambiguities, as advocated by Martha Minow and George Pavlich.<sup>7</sup> I also take up, in part, James Tully’s approach of “public philosophy” to explore my questions. Embracing the role of public philosopher entails recognizing oneself as an active citizen in a plural society, engaging in reciprocal relationships with other active citizens (who are also public philosophers).<sup>8</sup>

## THE COLLECTIVE IN CANADA

As Tully encourages of the public philosopher, it is necessary to examine the language and concepts that we rely on and to make obvious the power imbalances, assumptions, and connotations that lurk unaddressed beneath certain words.<sup>9</sup> Throughout this paper, I use the term “the collective” to refer to *all* who reside within the geographic boundaries of what is now known as “Canada.” I prefer to use this term in the context of reconciliation as it speaks to the idea of actual people better than other terms.<sup>10</sup> Although I am using the term “the collective” in the singular, multiple collectivities exist within the broad collective of people in this country. The collective should be considered plural, fragmented, and full of dissent. The term emphasizes a shared existence – whether we like it or not, we all live together. To better understand how the TRC aims to engage “Canadians,” it is first necessary to grasp how the TRC approaches the collective as a whole. Who from the collective is included in the process of reconciliation? On what terms are individuals or groups included and spoken of?

I use the TRC website as the basis for this analysis as it contains the TRC’s mandate and general information about the commission. It is also the main intermediary between the commission and the public at present.<sup>11</sup> Throughout my research, the website has changed *many* times. This constant shifting is not uncommon with this type of data analysis. It is worthwhile to consider why particular pieces of information disappear though, when at various points they seemed so integral to the TRC’s work. It is relevant to keep in mind that the commissioners changed in 2009 and that this could explain some of the information changes; however, information was shifting around before the “new” commission came into leadership, and overall, examining missing information is just as important to an analysis as that which we see.

So what might we learn about the collective from the language used by the TRC? Sequences such as the following are common on the website: “First Nations, Inuit, and Métis former students, their families, communities, religious groups, former Indian Residential School employees, government, and the people of Canada.”<sup>12</sup> We see here who the main “players” are supposed to be in the reconciliation process. In the mandate one finds the terms “Aboriginal and non-Aboriginal Canadians,” the “Canadian public,” “general public,” and “Canadian society.”<sup>13</sup> One also reads about “stakeholders,” “parties,”

and “organizations” throughout the website.<sup>14</sup> The division of Aboriginal and non-Aboriginal is implicit throughout, and is also quite explicit at times. This division is not a particularly profound finding, given that racialized relations in this country are divisive and that the task at hand is about reconciling. What is worthwhile, however, is to ask about the connotations behind the identity terms that are used.

The use of “Canadian” on the website most often implies people who are not Indigenous, and I suggest that it would not be uncommon that for many people “Canadian” translates to “white” people. I argue that “Canadians”/“white people” are treated as a homogeneous group on the TRC website. The process of engaging with this group is a muddled one though. White people are not a homogeneous group. While white privilege is *crucial* to focus on in the process of reconciliation (and much of my focus here is on engaging “white people”), we need to ask what the implications are of defining “Canadians” in this way. Concerning “the collective,” one can get the impression that “Canadians” are a specific group within the broader collective, and the other group in the collective is “the Aboriginals.” Some questions to consider include: where do non-white “minorities” or “immigrants” (or those perceived to be immigrants) fit into the national process of reconciliation? Are they marginalized in this process? Is the conflict assumed to be between “Aboriginal people” and “white people” only? What are the politics behind excluding (or including) Indigenous people under the label “Canadian”? I proceed in a manner in which I try to work with the broad connotations of Canadians as “white” and to examine dominant social norms and white privilege, but also include the contradictions with all of this and heterogeneity of those who might see themselves as “Canadians.” This process is difficult and is similar to the task of recognizing racialized identity categories as social constructs, but also working with them in a way that recognizes their seemingly naturalness, proliferation in our society, and very real implications.

The terms used to describe Indigenous people (Aboriginal, First Nations, Inuit, Métis, Native) are also far from neutral. Many scholars encourage us to ask what is meant by these terms.<sup>15</sup> Who counts under these labels? Are they based on appearance? Ideas about “culture”? Government affixed status? A sense of identification? Further, what are the implications when we see the words “community,” “culture,” or “tradition” in the context of the TRC? All of these concepts need to be unpacked. While for many, these terms can be a matter

of identification, pride, and political mobilization, the questions above still need to be asked of them, and the assumptions about linking indigeneity to words like community need to be examined.<sup>16</sup> When thinking about the groups that the TRC lays out as part of the process of reconciliation, questions still remain. Where do Indigenous people “fit” who do not label themselves as survivors of residential schools? Where do Indigenous people (and others) who do not want to be a part of the reconciliation process, but are part of the broader collective, fit?

It is difficult to communicate about some situations without relying on identity terms based on race or group membership, and it is in fact necessary, and desirable, when trying to understand conflict. I do not mean to suggest that we abandon these “identifying” terms and refer to everyone as the same (nor am I suggesting that we take up more detailed, rigid ways of defining and “sorting” people within the collective). Jeff Corntassel and Cindy Holder, when discussing the truth commission in Peru, describe that the public perceived the past violence as something that happened to *individuals* and thus notions of group identification and efforts of self-determination for Indigenous people, as well as the history of violence against them as a group, was overlooked.<sup>17</sup> While Peru and Canada require separate analyses based on the context of each country, the general point that concerns me is that when identity terms are taken up with the TRC, they are left undefined and not discussed. As they currently exist on the website, they are too straightforward and reinforce simple divisive relations. We are told by the commission that, “In the exercise of its powers the Commission shall recognize: (a) the unique experiences of First Nations, Inuit and Métis former IRS students, and will conduct its activities, hold its events, and prepare its Report and Recommendations in a manner that reflects and recognizes The [*sic*] unique experiences of all former IRS students.”<sup>18</sup> Yet I am not convinced that the TRC is embracing heterogeneous notions of identity. That is to say, one can receive the false impression from the TRC that Indigenous people are generally the same (with the exception of a difference between First Nations, Inuit, and Métis people), despite maybe having some different IRS experiences, and that all Canadians (white people) are similar. Moreover, we get the impression that the two groups are drastically different on the basis of rigid, racialized notions of identity.

The crude identity categorizations that the TRC relies on detract from the overall goal of reconciliation because it is founded on oversimplified categorizations. Not only is the heterogeneity of people missing, but also the acknowledgement of the contestation that can come along with diverse groups is absent. Reconciliation ought not to focus exclusively on conflict between groups, but must also be able to acknowledge that conflict within groups, impacts how we all live together.<sup>19</sup> Conflict is not tidy and easily compartmentalized. Pavlich advocates that when examining any mode of justice, the idea of uncertainty is critical “to devise open ethical forums that enable fundamental questions, deconstructions and dissociations of past events and practices. The more these forums see their roles in that fashion, the more likely they are to open themselves to name and challenge the structured auspices that have shaped past injustices.”<sup>20</sup> Further, Adrian Tanner, when talking about the Sheshatshiu and Utshimassit Innu in Labrador, comments,

I begin with the assumption that the complexity of social life cannot be contained within a single, watertight theoretical frame of reference. Given the ability of humans to simultaneously hold multiple interpretations, and the potential of human action to simultaneously embody multiple motivations, social analysis needs to be able to draw on multiple, distinct, and even logically incompatible theoretical models.<sup>21</sup>

Tanner modifies social-functionalist theory by using the term “social dysfunction.”<sup>22</sup> We need to hear different perspectives and truths that are difficult to hear, especially those for whom these truths are new.<sup>23</sup>

Oversimplification and assumptions about racialized identity have perpetuated, if not instigated, the past violence now at issue with the TRC, and will no doubt continue to do so if we cannot think differently about how we frame things. To use Minow’s approach, we will be perpetuating cycles of violence, rather than breaking them.<sup>24</sup> The TRC is still developing, so perhaps I will be proven wrong (and would welcome being proven wrong!). Perhaps in practice, the TRC engages in serious critical dialogue. Yet there is still reason for concern, since the website is the main contact point that much of the collective has with the TRC at present. Further it is relevant to consider a caution



from James that many of the structures (laws, institutions, etc.) that aim to subjugate Indigenous people, and which rely on these divisive racialized identity categorizations, will still be left intact during this process of “reconciliation.”<sup>25</sup> He compels one to consider what it means to undertake a process of reconciliation amidst ongoing oppressive policies – policies that are generally not recognized or acknowledged as such by the majority. While I do not think that reconciliation means that everyone has to think the same, or even that everyone has to be “on board,” I do think that normative values about race and racialization need to be deconstructed and reconstructed publicly to make institutions and people accountable. An ethical approach to reconciliation must refuse the preservation of oppressive frameworks.<sup>26</sup>

## ENGAGING “CANADIANS”

Lisa J. Laplante argues that if you want social change, then you need “a vigilant public.”<sup>27</sup> Canada, however, does not have a vigilant public with Indigenous and non-Indigenous relations.<sup>28</sup> One must proceed with the reality in mind that there are people who will not be unsettled by the TRC for various reasons (consciously or not), many of which could connect to notions about racial identity. James, Corntassel, and Holder, point out a plausible resistance when considering how far Canadians are willing to budge.<sup>29</sup> For example, Corntassel and Holder maintain that since restitution of land and culture are key to self-determination, any genuine gesture of reconciliation must accommodate these.<sup>30</sup> They advocate for a national model that is pluricultural and respects Indigenous people’s goals of self-determination.<sup>31</sup> This is similar to what Tully advocates when he speaks of “just”<sup>32</sup> reconciliation – an approach that encourages relationships that are negotiated, fluid, and complex – a mode of reconciliation that I discuss here as “ethical.”

With the TRC’s goal of reconciliation, it is important to consider how far Canadians will go, or, as Paulette Regan says, how far the majority can be pushed with “unsettling the settler within.”<sup>33</sup> Provoking even a portion of the Canadian public requires multiple, provocative, creative ways for reaching out. I want to better understand how the TRC is attempting to implicate Canadians in practice – how it is attempting to engage this group in discussions about residential schools, Indigenous and non-Indigenous relations, and more broadly “race relations.” As someone who would be slotted into the group of “Canadian,” by the TRC, I want to specifically reflect on my own

reactions to the various educational avenues that the TRC presents as aimed at me. How am I, as a “white” person, encouraged to learn from, and engage with, the TRC (by the TRC)? I now turn to examining the specific means for public education that the TRC has in place, and consider if they could encourage Canadians to dwell with the complexity and messiness of racialized identity and conflict, or if they fall into the trap, as suggested above, of approaching people and conflict too simply. My analysis is divided into four parts, in which I examine specific aspects of the TRC’s plan for public engagement: 1) to be publicly present and transparent; 2) to develop a final report and national research centre; 3) to hold community and national events; and 4) to support commemoration.

## 1) PUBLIC PRESENCE AND TRANSPARENCY

Part of the TRC’s mandate includes that the TRC be “public/transparent” and “accountable.”<sup>34</sup> I am exploring the relationship between transparency, engagement, and education, as I believe that if the TRC is not well trusted, it will be that much more difficult to encourage people to think about reconciliation. It is perhaps fitting to offer up a transparency of the self, before proceeding with my discussion of the TRC, as my personal history is deeply embedded in the analysis that I offer. I was born in, and have lived in, Canada my entire life. As mentioned, I am not Indigenous and more pertinently, I fall under the racial construct “white.” I was taught a “whitestream”<sup>35</sup> account (formally and informally) of “Canadian history” while growing up. While I cannot recall when I first learned of residential schools, I know that for some time I knew very little about them. I now work at undoing what I was taught as a child and aim to problematize this racialized (and connectedly, gendered) social construct, and to be conscientious of how it shapes how I move through the world. While I might on the surface be perceived as “the average Canadian,” I suspect that I am quite different given the amount of time that I now spend thinking about Indigenous and non-Indigenous relations. I do not say any of this in a way that claims some sort of “moral high ground” amongst white folks; rather, I include this to speak to the fact that racial groups are not homogeneous. I do however wish that more non-Indigenous people, particularly “white” people, would consider their own positionality and where they fit into racialized structures and how we might think differently about how we relate with one another.

The TRC's public presence, at the time of writing, consists mainly of the website and sporadic media presence (neither of which can be described as transparent). Further, one national event has been held (this is discussed below). Regarding the website, concerns arise about accessibility (not everyone has regular access to the internet). Also, the site is not particularly provocative and reads like a government site; however it has been improving recently with increasing updates and links about the TRC's work.<sup>36</sup> Yet as argued above, we still see little of the diversity and contestation that I (and others) argue is a necessary part of reconciliation, even with the updates to the site. A further problem with the Internet being the main link between the commission and the public is that one must seek out the website on a regular basis to keep up to date. The TRC's website and affiliated links could have little impact on Canadians if the public has no interest in seeking the information out. The website used to have a "stay informed" option, in which one would receive email updates (I had little success in being properly "signed up" for this), but curiously, this feature is no longer available.

How public and present should the TRC be for even some Canadians to be provoked? There is a lack of transparency concerning the *process* of the TRC. For example, why *exactly* did all of the initial commissioners resign? What internal politics were taking place that were toned down in resignation letters and media releases? Were these internal politics the business of the public? And if they were, what does it mean that the TRC, a body that is supposed to expose and handle conflict, "smoothed" the situation over? The new commissioners aim to proceed in a manner that is "consensus" based.<sup>37</sup> Will we be made aware of the struggles that might occur before arriving at a consensus? Does the TRC have a plan for what to do if a consensus cannot be reached so that a third round of commissioners does not have to be hired? Is there a need for continuous media exposure, both from the TRC and critical perspectives of it? What might my own experience/response be if the TRC had a strong media presence? Might this allow for the complexity that is a necessary part of an ethical approach to reconciliation?

The South African TRC had heavy media exposure and as Minow explains, a policy existed to make the proceedings public. This publicity included broadcasting testimony, undertaking advertising campaigns, and generally having an open relationship with the media.<sup>38</sup> Robert I. Rotberg comments, "The story of the past could not there-

fore be just one story, but a million perceptions of what had been revealed."<sup>39</sup> Minow also argues that media exposure makes it difficult to deny the stories of others,<sup>40</sup> and that public hearings could be healing for bystanders who were feeling guilty or complacent.<sup>41</sup> Yet Laplante describes that in Peru, while the truth commission hearings were public, overall, the commission failed to garner public interest and support.<sup>42</sup> Additionally, when reflecting on the South African TRC, Molly Andrews argues that there was still much resistance from the white population to acknowledge what had happened and how they were a part of it, despite its public presence.<sup>43</sup> I am conflicted about heavy media use in the Canadian context. I worry about media bias and the superficiality that often comes along with news formats. Who might get edited out, and why? "Minorities" are not typically treated in a favorable light by the media. How might we deter the media from relying on racial stereotypes? Are media stories too short lived? I have many questions that require continued contemplation.

## 2) FINAL REPORT AND NATIONAL RESEARCH CENTRE

I want to now shift from the TRC's broad plan of having a public presence via the internet and media, to the more specific attempts planned for engaging Canadians. I begin here with the final report and national research centre. While it will be a few years until the final report is published and the research centre established, it is useful to consider the following questions for each: will these be accessible to the public? And, is it a necessary part of reconciliation that Canadians engage with these?

Priscilla B. Hayner describes that "the report of a truth commission reclaims a country's history and opens it for public review."<sup>44</sup> Reports are, in part, meant to act as a deterrent and to teach a moral lesson.<sup>45</sup> Elizabeth Kiss discusses the possibility of reports making people accountable and explains, "By identifying structural causes of human rights violations, commission reports reveal systematic patterns of accountability that may be a valuable resource for future political mobilization."<sup>46</sup> She does point out though that reports need to draw attention to their limitations.<sup>47</sup> Further, when reading a report, it is pertinent to consider Deborah Posel's caution that with the South African context, the construction of the report was a political process and was shaped largely in a way that had to fit with that TRC's mandate. She contends, "The report contains a version of the past that has been actively crafted according to particular strategies of inclu-

sion and exclusion, arising from the complexities of the TRC's mandate."<sup>48</sup> Further, local specificities and histories were largely marginalized in the report.<sup>49</sup>

Laplante heeds that reports need to be accessible (not too academic).<sup>50</sup> I suspect that in the Canadian context, a (presumably) multi-volume document will not be overly embraced by Canadians and will be largely inaccessible. I have previously been interested in reading the South African TRC's report, but it is *big* and the task seems daunting (this sentiment coming from someone who spends up to 10 hours a day reading). I do plan to read the Canadian report when it comes out but I predict that it will not be a particularly provocative text (will perhaps read like a legal or government document, will tidy up the mess that we are in and present it too simply). I find myself in-between thoughts, that the report is necessary and important in terms of documenting something that has been ignored for too long, yet it is also has the potential to be biased and inaccessible (and thus ineffective). It is worthwhile to consider what lessons were learned from the Royal Commission on Aboriginal Peoples, as to not repeat the same mistakes with the TRC.<sup>51</sup>

Generally though, I do not believe that the broader project of reconciliation requires that all Canadians read the TRC's report. The research centre that is to be developed has the potential to be a valuable resource, and I hope that much of the centre's materials will be available online, and that teachers and employers will utilize these materials for educational purposes (in addition to general use). But as with the final report, I do not think that the research centre is something that every Canadian must engage with as part of this project of reconciliation. I come to these conclusions hesitantly, as I wish that everyone would read the report and access the research centre (and most importantly, have a chance to participate in critical dialogue about them), but realistically this is not going to happen and notions of reconciliation ought to extend far beyond the requirement of report reading and centre access. Hayner emphasizes that "future peace and civility will probably depend much more on changing the institutions in which such abuses have taken place" than they will on something like a report.<sup>52</sup>

### 3) COMMUNITY AND NATIONAL EVENTS

A potentially more interactive strategy for public outreach that the TRC has planned is the community and national events. While I am critical of the TRC's engagement with Canadians, at least they recognize that multiple means for reaching out to people are necessary. Reflecting on these events, I keep the following questions in mind: who are these events for? And, is it the responsibility of the TRC to implicate me (and others)?

I begin with my first question concerning who these events are for. Community events are described, by the TRC, as "an opportunity for people to share their Residential School experience with the TRC Commissioners and/or a statement gatherer. Communities also have a chance to offer gestures of reconciliation that represent community members and to showcase the ways in which they have begun the work of reconciliation."<sup>53</sup> While these events appear to be open to "Canadians" (although more so at a local level) this decision is supposed to be up to the communities, as it is noted in the TRC mandate that these events can be public or private.<sup>54</sup> Further, as mentioned above, when encountering the word "community" on the TRC website, it is necessary to ask after what this might imply. Communities come in various forms, have various ways of dealing with conflict, have different power dynamics within them, and change over time.<sup>55</sup> Additionally, Chris Andersen, and Jane Dickson-Gilmore and Carol La Prairie alert us against "naturally" connecting the ideas of community and "traditional" notions of indigeneity and culture.<sup>56</sup> The general impression that one gets from the TRC is that community events are for Indigenous people and the national events are meant to be the main "event" tool with which to educate Canadians.

The TRC describes of the national events, that they "will engage the Canadian public and provide education about the history of the residential schools system, the experience of former students and their families and the ongoing legacies of the institutions within communities. The national events will also be opportunities to celebrate regional diversity and honour those touched by residential schools."<sup>57</sup> Overall, 7 national events, and a closing ceremony, are to be held. I wonder, why in a country with 13 provinces and territories are only 7 events are being held? One finds on the website that the 7 events are being planned with "the history and demographics of the IRS system" in mind.<sup>58</sup> Yet this sounds more like budgetary restraints than



anything.<sup>59</sup> It is important to ask about the consequences of this selective geography, when the premise of the events is national outreach. Would Canadians be willing to travel if an event is not held in their city, or province or territory for that matter? I am interested in attending several of these national events. I attended the first one in Winnipeg, MB, and would like to continue attending the national events to see how they differ and evolve. Yet my trip to Winnipeg was costly. I am certain that I do not have the resources to travel to the other national events that I would like to attend (unless if one is held near my hometown). How willing, and able, might Canadians be to put resources and time towards travel for national events? Is this sort of engagement with the national events necessary? When I consider my own engagement, due to time and resource constraints, I suspect that my future engagement with these events will be largely comprised of watching 3 minute clips about them on the evening news and reading about the events on the TRC website.

Questions about responsibility are a key part of this analysis of the TRC's attempt to engage the public. The TRC website at one point probed "How can you support the TRC?" Suggestions included: "Spread the word" to those you know; "Talk to community members about what reconciliation means and what an event might look like to your community;" they ask for visitors to "Send us your thoughts and ideas;" and encourage people to return to the website to check for updated information.<sup>60</sup> Does the TRC really want to hear my thoughts? Interestingly, this content on the website has been removed. Why was this invitation detracted? What role does responsibility play in all of this, on behalf of the TRC? Citizens? Or both? Hayner observes that it is common for people to expect too much from truth commissions. She explains, "grand expectations and the resulting disappointment often prevent people from appreciating the significant contributions that these bodies do sometimes make."<sup>61</sup> I think that it would be careless to put all of the responsibility on the TRC. Further, my understanding of reconciliation means that we cannot expect one group or organization to begin to address a problem that exists between, and within, multiple groups.

In her work on the Peruvian truth commission, Laplante, faced with what she depicts as a failed commission, describes that survivors end up "ultimately carry[ing] the burden of disseminating a new collective memory – at least until others care enough to join them."<sup>62</sup> I worry about this persisting in the Canadian context - a continued

deferral of problems onto Indigenous people in which, as Andersen says, "communities are being called on to deal with the manifestation of problems not originating in the community."<sup>63</sup> When speaking of hate crimes, Minow asks, "why must the minority educate the majority, and why is the majority's ignorance so durable?"<sup>64</sup> While Laplante describes consciousness-raising as empowering to survivors, there is a tension here between empowerment and offloading responsibility. Andersen describes that in Canada, neoliberal notions of responsibility push Indigenous people to adhere to the idea that taking responsibility is part of a "traditional" Indigenous identity and culture, and that they are to be responsible for creating responsible communities.<sup>65</sup> A balance in responsibility needs to exist with the Canadian TRC. Reconciliation is not solely the responsibility of any one group or entity – negotiating conflict is more complex than that.

Before traveling to Winnipeg, I wondered, who might attend this first national event? Might some white people feel like it is not their place, feel guilty, or not understand why they would attend? What implications might this have considering these events are supposed to encourage national awareness and collective engagement? At the first national event, it was clear that very few non-Indigenous people were in attendance. While a survey passed out by the TRC inquired as to how they could get more non-Indigenous people to participate (amongst many other questions), I suspect that those questions ought to be taken directly to a sample of those who were not present. While I do not believe that the TRC should be fully responsible for the project of reconciliation, I do think that they have a responsibility to better understand why people are not responding well to one of the main tools that they are touting as part of their public education plan. The national events raise a concern of actually having much of the public be disconnected from the events, for geographic, and I am certain, other reasons (for those uninterested in engaging in reconciliation, this disconnect could be welcoming, rather than a concern).

#### 4) COMMEMORATION

The final specific plan that the TRC has for public education and engagement is to support commemoration initiatives. There is an emphasis on commemoration proposals being submitted from communities.<sup>66</sup> While I do not have the space to deal with commemoration in detail, I am interested in raising a question that relates to notions of responsibility and the role of "Canadians." What would it

mean for non-Indigenous people to contribute to commemoration? I do not mean to suggest that non-Indigenous people should be equally eligible for already limited funding from the TRC's commemoration initiative. I am thinking instead about efforts that fall outside of the formal process. For example, what would it mean for myself, as an artist, to create and make public art that speaks to reconciliation, conflict, and identity? Laplante cites an artist in Peru, Baldeón Rodríguez, who created political art in response to the violence in the country. He was not a victim himself and was heavily criticized by some victims who felt that it was not his place.<sup>67</sup> In Canada, a popular (non-Indigenous) band, *The Tragically Hip*, has a song about the TRC on their recent album.<sup>68</sup> Might the popularity of this group encourage some to listen, who would not before? Does this song speak to a strong presence of the topic of reconciliation in Canada? Yet songs have been sung, documentaries made, and art created by Indigenous people and groups for decades. Who are “we” listening to, and why? The role of the collective in Canada and various perspectives about who can and should be involved, in what capacity, and when, are complex. Overall, more research needs to be done on how the TRC should implicate the public concerning complex social issues. I have been quick to criticize what the TRC is doing, but what might I offer that is different and new? It is easier to criticize what is being done than it is to take action and this is concerning. I find my lack of creativity in regard to coming up with alternative means of outreach to be frustrating and I put forth a caution to myself and others, to not rely on the “more research needs to be done” statement in a way that defers responsibility. I include these personal reflections here (and have written myself into the previous sections), not in a way that is meant to create an individualized story, rather I aim to open up my analysis by showing the complexity of how just one person can get tied up with the TRC. People will respond to the TRC differently. I suspect that my confusion about how to engage with the TRC is not uncommon though; nor that it is unrelated to broader social concerns about struggling with the realities and messy implications of racialized identity.

## CONCLUSIONS

The TRC is facing *many* challenges, of which the ones discussed here, relating to reconciliation and the collective, comprise only a small portion. I have only focused on how the TRC is engaging

“Canadians” (and even that requires continued consideration as the TRC progresses). It is necessary to also look at how people who fall under the other labels that the TRC uses, feel implicated or not by the TRC, and why. It is interesting to examine the TRC while it is in progress. This examination presents some difficulties and my analysis could change in the future. Yet it also creates an opening for learning to engage with something while it is happening, and I hope that this paper adds to an ongoing dialogue in which my, and others' ideas can be contested and considered.

I still remain in between – I do not want to declare that the TRC is failing or that it is succeeding. Yet some serious reframing is required by the TRC. The ways in which the TRC approaches the collective deals with people in simplistic, categorizing ways. This is dangerous as the TRC's engagement and educational outreach could ultimately be limited and could end up reinforcing the very structures and belief systems that the TRC is supposed to be challenging. This situation of a commission reinforcing oppressive structures and frameworks is not new,<sup>69</sup> and one must question how many more times commissions and other such entities will be developed under the guise of change and empowerment, but will operate within the practice of the same old oppressions. Open dialogue about the very basic identity terms on which the TRC operates is required, online, and in the rest of the TRC's work. My hope for the TRC would be that it could take up an ethical approach to reconciliation which abandons certainty, gets messy, and embraces contradictory experiences and the value of dissent, as to not further perpetuate violence.<sup>70</sup> The TRC needs to be able to embrace and learn from the heterogeneity and complex conflict that are the reality in the situation that we are in, while also being able to examine broader racialized patterns of injustice and privilege.

The issue of reconciliation is itself an ethical concern but so too is the means through which a commission attempts to engage with people. The remarkable part of any reconciliation process though, as Tully points out, is that it is to be ongoing, and should therefore be malleable if the process is not proceeding in an ethical manner.<sup>71</sup> Perhaps the TRC could alter its approach (albeit within the confines of its mandate). There are consequences for the TRC not being able to work well with plurality and conflict. To counter such possible disheartening consequences (disheartening not because we should expect the world of the TRC but because we at least deserve a commission

that will not endorse oppression), it is important to remember that creative dialogue about reconciliation can and must occur along with, and outside of, the formal process of the TRC. If we disagree with the terms on which we are being asked to reconcile, then we need to consider how, and if (as power relations shape these processes and who will be heard), we might be able to create spaces for reconciliation to proceed differently.

## NOTES

- 1 Thank you to Dr. Val Napoleon for her insightful feedback. As well, I would like to acknowledge the support of SSHRC for providing me with assistance through a doctoral Canada Graduate Scholarship.
- 2 This goal cannot be easily severed from the others. Also, “truth” and “reconciliation” cannot be disconnected; however, the focus here will remain on reconciliation.
- 3 He does not argue that all of these countries are the same though – there are similarities and differences. See James, Matt, “Uncomfortable Comparisons: The Canadian Truth and Reconciliation Commission in International Context,” *Les Ateliers de l'éthique / The Ethics Forum*, vol. 5, no. 2, pp. 23-35 (For the purposes of this paper, I have used an earlier 2009 draft, cited with permission).
- 4 Despite the overall absence of the general public in the literature, exceptions include: media outreach (particularly in South Africa) (Minow, Martha, *Breaking the Cycles of Hatred*, Princeton, NJ, Princeton University Press, 2002; Minow, Martha, “The Hope for Healing: What Can Truth Commissions Do?” in Robert I. Rotberg and Dennis Thompson, eds., *Truth v. Justice: The Morality of Truth Commissions*. Princeton, NJ, Princeton University Press, 2000, pp. 235-260; Minow, Martha, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, Boston, Beacon Press, 1998; Ntsebeza, Dumisa B. “The Uses of Truth Commissions: Lessons for the World,” in *Truth v. Justice* (see note 4), pp. 158-169; Krog, Antjie, *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa*, Toronto, Times Books, Random House, 1998; Laplante, Lisa J., “The Peruvian Truth Commission’s Historical Memory Project: Empowering Truth-Tellers to Confront Truth Deniers,” *Journal of Human Rights*, vol.6, no. 4, 2007, pp. 433-452; Andrews, Molly, “Grand national narratives and the project of truth commissions: a comparative analysis,” *Media, Culture & Society*, vol. 25, 2003, pp. 45-65) and commemoration (Minow, *Breaking the Cycles of Hatred*; “The Hope for Healing”; *Between Vengeance and Forgiveness*).
- 5 While I recognize that “ethics” and “reconciliation,” as concepts, require theoretical attention, I want to stay focused on a more specific analysis of the TRC. My understanding of ethics is informed, in part, by Pavlich, although his focus is on restorative justice. See Pavlich, George, “Ethics, Universal Principles and Restorative Justice,” in Gerry Johnstone and Daniel Van Ness, eds., *Handbook of Restorative Justice*, Portland, Or., Willan Publishing, 2007, pp. 615-630.
- 6 Laplante, “The Peruvian Commission’s Historical Memory Project,” p. 446; see also Corntassel, Jeff and Holder, Cindy, “Who’s Sorry Now? Government Apologies, Truth Commissions, and Indigenous Self-Determination in Australia, Canada, Guatemala, and Peru,” *Human Rights Review*, vol. 9, no. 4, 2008, pp. 465-489; Andersen, Chris and Denis, Claude, “Urban Natives and the Nation: Before and After the Royal Commission on Aboriginal Peoples,” *Canadian Review of Sociology*, vol. 40, no. 4, 2003, pp. 373-390; Tully, James, *Public Philosophy in a New Key*, Vol.1, New York, Cambridge University Press, 2008, ch. 7 and 8; James, “Uncomfortable Comparisons,” pp. 5-6.
- 7 Minow, *Between Vengeance and Forgiveness*; Pavlich, “Ethics, Universal Principles and Restorative Justice.”
- 8 Tully, *Public Philosophy*, p. 3.
- 9 *Ibid.*, p. 17.
- 10 For example, “society” conjures up ideas of people but also has the potential to imply social institutions and other such abstract mechanisms that I am not focusing on here.
- 11 Truth and Reconciliation Canada website, <http://www.trc.ca/websites/trcinstitution/index.php?p=26>, retrieved 11 Sept. 2010.
- 12 TRC, “About Us,” <http://www.trc.ca/websites/trcinstitution/index.php?p=4>, retrieved 11 Sept. 2010.
- 13 TRC Mandate, <http://www.trc.ca/websites/trcinstitution/index.php?p=7>, retrieved 11 Sept. 2010.
- 14 TRC website.
- 15 See for example, Andersen, Chris, “Governing aboriginal justice in Canada: Constructing responsible individuals and communities through ‘tradition,’” *Crime, Law & Social Change*, vol. 31, no. 4, 1999, p. 320.
- 16 For discussions on community, see Andersen, “Governing aboriginal justice”; Dickson-Gilmore, Jane and La Prairie, Carol, *Will the Circle Be Unbroken? Aboriginal Communities, Restorative Justice, and the Challenges of Conflict and Change*, Toronto, University of Toronto Press, 2005; Schuurman, Hedda, “The Concept of Community and the Challenge for Self-Government,” in Colin H. Scott, ed., *Aboriginal Autonomy and Development in Northern Quebec-Labrador*, Vancouver, University of British Columbia Press, 2001, pp. 379-395.
- 17 Corntassel and Holder, “Who’s Sorry Now?” p. 482.
- 18 TRC Mandate, s. 4.
- 19 Tully, *Public Philosophy*.
- 20 Pavlich, “Ethics, Universal Principles and Restorative Justice,” p. 626.
- 21 Tanner, Adrian, “The Double Bind of Aboriginal Self-Government,” in *Aboriginal Autonomy and Development in Northern Quebec-Labrador* (see note 16), p. 409.
- 22 *Ibid.*, p. 410.
- 23 Dickson-Gilmore and La Prairie, *Will the Circle Be Unbroken?*; Krog, *Country of My Skull*; Posel, Deborah, “The TRC Report: What Kind of History? What Kind of Truth?” in Deborah Posel and Graeme Simpson, eds., *Commissioning the Past: Understanding South Africa’s Truth and Reconciliation Commission*, Johannesburg, Witwatersrand University Press, 2001, pp. 147-172; Gutmann,

Amy and Thompson, Dennis, "The Moral Foundations of Truth Commissions," in *Truth v. Justice* (see note 4), pp. 22-44; Pavlich, "Ethics, Universal Principles and Restorative Justice"; James, "Uncomfortable Comparisons"; Andrews, "Grand national narratives"; Minow, *Breaking the Cycles of Hatred*; "The Hope for Healing"; *Between Vengeance and Forgiveness*.

24 Minow, *Breaking the Cycles of Hatred*.

25 James, "Uncomfortable Comparisons," pp. 10-11. See also Tully for a more general discussion, *Public Philosophy*, ch. 7 and 8.

26 For a more general discussion on an approach to reconciliation that accounts for conflict and plurality, see Tully, *Public Philosophy*, ch. 7 and 8. Tully argues that for reconciliation to occur we need to take up treaty relations, rather than reinforcing colonial relations (pp. 226-228). Tully's insights are discussed primarily in the context of the Royal Commission on Aboriginal Peoples. While Tully's approach to reconciliation certainly informs my analysis; I diverge from him in a few ways. Most significantly, to explore ethical reconciliation (perhaps what he would describe as "just" reconciliation [p.224]), I do not want to take up the language/concepts of "democracy," "equality," and "freedom," that Tully necessarily includes in his approach.

27 Laplante, "The Peruvian Truth Commission's Historical Memory Project," p. 444.

28 James, "Uncomfortable Comparisons"; Andersen, "Governing aboriginal justice"; Corntassel and Holder, "Who's Sorry Now?"; Dickson-Gilmore and La Prairie, *Will the Circle Be Unbroken?*; Tully, *Public Philosophy*.

29 James, "Uncomfortable Comparisons," p. 23; Corntassel and Holder, "Who's Sorry Now?" p. 471.

30 Corntassel and Holder, "Who's Sorry Now?" p. 471.

31 *Ibid.*, p. 484.

32 Tully, *Public Philosophy*, p. 224.

33 Regan quoted in, Corntassel and Holder, p. 479.

34 TRC Mandate, "Principles."

35 Denis, Claude, *We are Not You: First Nations and Canadian Modernity*, Peterborough, ON, Broadview Press, 1997, p. 13.

36 Recently, the TRC added links to Twitter, Facebook, and Youtube, where it has its own pages. While these are of interest to me, I focus here only on the main TRC pages. Affiliated and even unaffiliated links are well worth analyzing but require their own paper.

37 Sinclair, Murray, interview, "Residential Schools: Truth commission back on track after resignation," *National Post*, 13 Dec. 2009, retrieved online, <http://www.nationalpost.com/news/story.html?id=2332266>.

38 Minow, "The Hope for Healing," pp. 238-239.

39 Rotberg, Robert I., "Truth Commissions and the Provision of Truth, Justice, and Reconciliation," in *Truth v. Justice* (see note 4), p. 6.

40 Minow, "The Hope for Healing," pp. 238-239.

41 Minow, *Between Vengeance and Forgiveness*, pp. 74-75.

42 Laplante, "The Peruvian Truth Commission's Historical Memory Project," p. 444.

43 Andrews, "Grand national narratives," p. 61.

44 Hayner, Priscilla B., *Unspeakable Truths: Facing the Challenge of Truth Commissions*, New York, Routledge, 2001, p. 25.

45 *Ibid.*, p. 29; Kiss, Elizabeth, "Moral Ambition Within and Beyond Political Constraints: Reflections on Restorative Justice," in *Truth v. Justice* (see note 4), p. 75.

46 Kiss, "Moral Ambition Within," p. 75.

47 See also Minow, "The Hope for Healing."

48 Posel, "The TRC Report," p. 148.

49 *Ibid.*, p. 160. See also Andrews, "Grand national narratives."

50 Laplante, "The Peruvian Truth Commission's Historical Memory Project," p. 446.

51 See Andersen and Denis, "Urban Natives and the Nation"; Tully, *Public Philosophy*, ch. 8.

52 Hayner, *Unspeakable Truths*, p. 29.

53 TRC, "Community Events," <http://www.trc.ca/websites/trcinstitution/index.php?p=103>, retrieved 11 Sept. 2010.

54 TRC Mandate, s. 13(c). Funding processes are not apolitical and the desires of the TRC, not communities, could ultimately reign at the end of the day.

55 Dickson-Gilmore and La Prairie, *Will the Circle be Unbroken?*; Tanner, "The Double Bind"; Andersen, "Governing aboriginal justice"; see also Schuurman, Hedda, "The Concept of Community." Dickson-Gilmore and La Prairie emphasize the importance of not excluding "urban aboriginals" when talking about "community" (p. 232). It is a bit unclear where this population fits with the TRC's plans for events. See also Andersen and Denis, "Urban Natives and the Nation," on urban aboriginal issues.

56 Andersen, "Governing aboriginal justice"; Dickson-Gilmore and La Prairie, *Will the Circle Be Unbroken?*

57 TRC, "National Events," <http://www.trc.ca/websites/trcinstitution/index.php?p=92>, retrieved 11 Sept. 2010.

58 TRC, "FAQs," <http://www.trc.ca/websites/trcinstitution/index.php?p=10>, retrieved 11 Sept. 2010.

59 While the budget was set out in the settlement, we must remember that settlement procedures are not exempt from power imbalances and politics.

60 TRC, "Truth Healing Reconciliation," [http://www.trc-cvr.ca/pdfs/TRC\\_DECK\\_June\\_2009\\_e.pdf](http://www.trc-cvr.ca/pdfs/TRC_DECK_June_2009_e.pdf), retrieved 15 July 2009.



- 61 Hayner, *Unspeakable Truths*, p. 8.
- 62 Laplante, “The Peruvian Truth Commission’s Historical Memory Project,” p. 445.
- 63 Andersen, “Governing aboriginal justice,” p. 320.
- 64 Minow, *Breaking the Cycles of Hatred*, p. 46.
- 65 Andersen, “Governing aboriginal justice,” pp. 319-320.
- 66 TRC Mandate, s. 1(g).
- 67 Laplante, “The Peruvian Truth Commission’s Historical Memory Project,” p. 447.
- 68 Downie, Gordon, “Now The Struggle Has a Name,” *We Are The Same*, produced by Universal/Zoe Records, 2009.
- 69 See note 6.
- 70 As per the insights of Tully, *Public Philosophy*; Pavlich, “Ethics, Universal Principles”; Minow, *Between Vengeance and Forgiveness*.
- 71 Tully, *Public Philosophy*, p. 223.