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ALTERNATIVE DISPUTE RESOLUTION



Indian Residential School Historical Overview

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## The Residential School System Historical Overview

The Indian residential school system predates Confederation; and in part grew out of Canada's missionary experience with various religious organizations.

The federal government began to play a role in the development and administration of this system as early as 1874, mainly to meet legal obligations under the *Indian Act*, as well as to assist with the integration of Aboriginal people into the broader Canadian society.

The schools were located in every province and territory, except Newfoundland, New Brunswick and Prince Edward Island. Of the 130 schools that existed over time, it is estimated that up to 100 of these schools could be involved in claims.

The Government of Canada operated nearly every school as a "joint venture" with various religious organizations. On April 1st, 1969, the Government assumed total responsibility for the school system, although churches remained involved for some years in many instances. Most residential schools ceased to operate by the mid-1970s; the last federally-run residential school in Canada closed in 1996.

While it is not uncommon to hear some former students speak about the positive experience in these institutions, their stories are overshadowed by disclosures of abuse, criminal convictions of perpetrators and the findings of various studies such as the Royal Commission on Aboriginal Peoples, which tell of the tragic legacy that the residential school system has left with many former students.

In addition to allegations of physical and sexual abuse, which are found in 90% of the legal claims, allegations relating to such things as cultural loss, breach of treaty, loss of education opportunity, forcible confinement and poor conditions at the schools are also alleged.

Now over 5,000 cases representing nearly 12,000 individuals make claims against the Government. Seventy per cent of claimants themselves also name a church institution in addition to the Government. There have been over 630 settlements and 11 court judgements.

It is estimated there are 90,600 people alive today who attended residential schools.

Dealing with the legacy left by the residential school system is an important aspect of Canada's relationship with Aboriginal people.

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## **Statement of reconciliation Learning from the Past**

**Jane Stewart, Minister of Indian Affairs**

**January 7, 1998**

As Aboriginal and non-Aboriginal Canadians seek to move forward together in a process of renewal, it is essential that we deal with the legacies of the past affecting the Aboriginal peoples of Canada, including the First Nations, Inuit and Métis. Our purpose is not to rewrite history but, rather, to learn from our past and to find ways to deal with the negative impacts that certain historical decisions continue to have in our society today.

The ancestors of First Nations, Inuit and Métis peoples lived on this continent long before explorers from other continents first came to North America. For thousands of years before this country was founded, they enjoyed their own forms of government. Diverse, vibrant Aboriginal nations had ways of life rooted in fundamental values concerning their relationships to the Creator, the environment, and each other, in the role of Elders as the living memory of their ancestors, and in their responsibilities as custodians of the lands, waters and resources of their homelands.

The assistance and spiritual values of the Aboriginal people who welcomed the newcomers to this continent too often have been forgotten. The contributions made by all Aboriginal peoples to Canada's development, and the contributions that they continue to make to our society today, have not been properly acknowledged. The Government of Canada today, on behalf of all Canadians, acknowledges those contributions.

Sadly, our history with respect to the treatment of Aboriginal people is not something in which we can take pride. Attitudes of racial and cultural superiority led to a suppression of Aboriginal culture and values. As a country we are burdened by past actions that resulted in weakening the identity of Aboriginal peoples, suppressing their languages and cultures, and outlawing spiritual practices. We must recognize the impact of these actions on the once self-sustaining nations that were disaggregated, disrupted, limited or even destroyed by the dispossession of traditional territory, by the relocation of Aboriginal people, and by some provisions of the Indian Act. We must acknowledge that the result of these actions was the erosion of the political, economic and social systems of Aboriginal people and nations.

Against the backdrop of these historical legacies, it is a remarkable tribute to the strength and endurance of Aboriginal people that they have maintained their historic diversity and identity. The Government of Canada today formally expresses to all Aboriginal people in Canada our profound regret for past actions of the federal government which have contributed to these difficult pages in the history of our relationship together.

One aspect of our relationship with Aboriginal people over this period that requires particular attention is the Residential School system. This system separated many

children from their families and communities and prevented them from speaking their own languages and from learning about their heritage and cultures. In the worst cases, it left legacies of personal pain and distress that continue to reverberate in Aboriginal communities to this day. Tragically, some children were the victims of physical and sexual abuse.

The Government of Canada acknowledges the role it played in the development and administration of these schools. Particularly to those individuals who experienced the tragedy of sexual and physical abuse at residential schools, and who have carried this burden believing that in some way they must be responsible, we wish to emphasize that what you experienced was not your fault and should never have happened. To those of you who suffered this tragedy at residential schools, we are deeply sorry.

In dealing with the legacies of the Residential School system, the Government of Canada proposes to work with First Nations, Inuit and Métis peoples, the Churches and other interested parties to resolve the longstanding issues that must be addressed. We need to work together on a healing strategy to assist individuals and communities in dealing with the consequences of this sad era of our history.

No attempt at reconciliation with Aboriginal people can be complete without reference to the sad events culminating in the death of Métis leader Louis Riel. These events cannot be undone; however, we can and will continue to look for ways of affirming the contributions of Métis people in Canada and of reflecting Louis Riel's proper place in Canada's history.

Reconciliation is an ongoing process. In renewing our partnership, we must ensure that the mistakes which marked our past relationship are not repeated. The Government of Canada recognizes that policies that sought to assimilate Aboriginal people, women and men, were not the way to build a strong country. We must instead continue to find ways in which Aboriginal people can participate fully in the economic, political, cultural and social life of Canada in a manner which preserves and enhances the collective identities of Aboriginal communities, and allows them to evolve and flourish in the future. Working together to achieve our shared goals will benefit all Canadians, Aboriginal and non-Aboriginal alike.

School Days (c.1972)

By Willie Dunn

School days, school days dear old golden rule days.  
I recall stuffy old classrooms,  
smokin' butts in the grade school bathrooms.

Sad days, bad days, propaganda had days.  
Sang my anthem, said my prayer,  
prayed like hell to get out of there.

When I was a boy the age of six,  
they took me out to get me fixed.  
Five years he's at been at large.  
Dear old teacher read the charge.  
Principal looked down at me, said  
"Boy you been buckin' democracy.  
Anything to say, anything to do  
before we hereby sentence you?"

Well you get one year for climbing trees,  
you get another one for catching bees,  
one year for spontaneity,  
you get another year for curiosity,  
one year for exploration,  
you get another one for imagination,  
one year for exuberance,  
you get another year for innocence,  
two-years for ingenuity,  
and you serve them all consecutively.

<p>"I want to get rid of the Indian problem...Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question and no Indian department."  (Duncan Campbell Scott, Deputy Superintendent of Indian Affairs from 1913-1932)</p>	<p>Nicholas Flood Davin Report of 1879 noted that "the industrial school is the principal feature of the policy known as that of 'aggressive civilization'...Indian culture is a contradiction in terms...they are uncivilized...the aim of education is to destroy the Indian."</p>
<p>"It is readily acknowledged that Indian children lose their natural resistance to illness by habituating so closely in the residential schools and that they die at a much higher rate than in their villages. But this does not justify a change in the policy of this Department which is geared towards a final solution of our Indian Problem."  (Duncan Campbell Scott)</p>	<p>"The federal government and the churches - Anglican, Roman Catholic, Methodist and Presbyterian - applied to their 'Indian Problem' the instrument of education...which...focused on labour skills...."  (The Healing Update Has Begun from the Aboriginal Healing Foundation, May 2002)</p>

<p>Prior to 1840's</p>	<p>There was no educational policy as the government had little interest in the education of Natives. There were, however, a handful of schools run by representatives of missionary organizations, and a few boarding schools were established in Ontario. The schools were supervised by ill-trained and poorly paid missionaries. Last on their list of priorities was addressing the low attendance and academic progress of their Native students.</p> <p>The residential school had been contrived specifically to enable missionaries to meddle with the character formation and identity of Native children even though the parents had stressed repeatedly that they wanted education, not assimilation.</p>
<p>1840's</p>	<p>First residential schools opened in Upper Canada (Ontario). The federal government became involved after the results of the results of the Bagot Commission of 1842 were published, and the Gradual Civilization Act of 1857 was enacted. These documents paved the way for the establishment of government funded schools that would teach the Natives English and hopefully eliminate the Native culture.</p>
<p>1840's</p>	<p>A report was published based on the ideas of Egerton Ryerson, Father of public education in Ontario. His ideas formed the basis for future directions in policy for Indian education:</p> <p>"There is a need to raise the Indians to the level of the whites...and take control of land out of Indians hands. Indian must remain under the control of the Federal Crown rather than provincial authority, that effort to Christianize the Indians and</p>

	settle them in communities be continued,...that schools, preferably manual labour ones, be established under the guidance of missionaries...Their education must consist not merely training of the mind, but of a weaning from the habits and feelings of their ancestors, and the acquirements of the language, art and customs of civilized life."
1857	Gradual Civilization Act applied to all Indians in the Province of Canada; they were an affirmation of legislative control over Indians. The legislation stated it was shouldering the responsibility and authority to define who was an Indian as a preliminary to making it feasible for the Indian to cease being an Indian. Part of the process was forcing Native children into government-run schools.
1876	The Indian Act gave further responsibility to the federal government for Native education.
1883	Canadian Federal Government builds RESIDENTIAL SCHOOLS also called Industrial Schools far away from reserves to ensure children would be educated in European ways, without parental or cultural influence - Sir Hector Langevin preaches that, "If these schools are to succeed [in terms of integration] we must not place them too near the bands; in order to educate the children properly we must separate them from their families." (J. Ennamoreto, <i>Sing the Brave Song</i> , pg. 47).
1879	"Kill the Indian and Save the Man," was the motto coined by Captain Richard Henry Pratt, who founded the first Native American Boarding School, Carlisle Indian School in Pennsylvania. The purpose of the Native American

	Boarding schools was to assimilate Native American children into the American culture by placing them in institutions where they were forced to reject their Native American culture.
	There was considerable denominational rivalry among the Anglican, Catholic, Methodist and Presbyterian churches. One Anglican referred to the Ojibwa as biased: "Their prejudices are so much warped in favour of the Catholics...they received the crucifix, beads and other mummeries...[and] instead of the gospel...they pray in the same manner as they formerly did to their medicine bags." (J. Ennamorato, <u>Sing the Brave Song</u> , Pg. 73)
Mid- 1880s	<p><b>REMOVING</b> Native children from the home and villages to be instructed in Christianity is now well established. More often than not children were kidnapped without the knowledge of the parents. The bulk of the so-called educational experience in the schools, however, was manual labour rather than scholastic. Children worked mostly in the fields, laundries or shops (a concept borrowed from the United States Residential School system).</p> <p>Sexual perversions at the hands of priests and nuns were commonplace, spiritually and emotionally damaging generations of Native children.</p>
1892	An order-in-council was passed in 1892 announcing the regulations for the operation of residential schools. It set up a grant arrangement stating that the government would give \$110-\$145 per student per year to the church-run schools and \$72 per student in the day schools.

1910	Ontario Public School History of Canada: "All Indians were superstitious, having strange ideas about nature. They thought that birds, beasts...were like men. Thus an Indian has been known to make a long speech of apology to a wounded bear. Such were the people whom the pioneers of our own race found lording it over the North American continent - this untamed savage of the forest who could not bring himself to submit to the restraints of European life."
1914-1918	New amendments to the Indian Act which made it easier for the government to obtain convictions for "spiritual misbehaviour."
1931	Number of Schools peaks: Eighty schools: one in Nova Scotia, thirteen in Ontario, ten in Manitoba, fourteen in Saskatchewan, twenty in Alberta, sixteen in British Columbia, four in the Northwest Territories, and two in the Yukon. In addition, two schools are planned for Quebec.
1940's	<p>8,000 Indian children, half the student population were enrolled in seventy-six residential schools across the country. In 1930, three-quarters of Indian students were in grades one to three, and only three in every hundred students progressed past grade six.</p> <p>Students were discouraged by school officials to go on to higher grades and were often ordered out of the school by age sixteen. At a residential school in northwestern Ontario, a federal inspector admonished the administrator for offering grades nine, by saying, "If we let the Indian people go to grade nine then they'll want to go to grade ten, and then they'll want to go to university, that's what we don't want."</p>

Education of Girls	Girls were educated because it was thought that if male residential school graduates married unschooled Native females they would simply revert back to their prior 'heathenism'. (Also called, 'The Blame it on Eve for Everything Syndrome!')
Late 1950's	Focus begins to shift. The residential schools were not accomplishing their purpose of cultural assimilation and some thought that the Natives should not be taught to compete with whites but should be taught to make a living on the reserve. The DIA begins to phase out the residential schools because they realized a new approach was needed towards Natives. Drug and alcohol abuse was on the rise and was directly attributed to the appalling conditions, sexual abuse and slavery endured by Native captives.
1990	Last federally-operated residential school is closed (Akaitcho Hall in Yellowknife). It is estimated that more than 100,000 Native children aged six and up attended the national network of residential schools from 1930 until the last one closed.
1993	There are seven residential schools remaining, all of them administered by bands.
	<p>More than 4,500 lawsuits have been launched representing at least 9,000 claimants who allege physical or sexual abuse in the now defunct schools run by Catholic, Anglican, United and Presbyterian church groups for the government.</p> <p>The suits threaten the financial viability of some of the Churches. For example:</p> <p>"Government and Church organizations, including the St. Paul Diocese, are facing</p>

1990's	<p>up to \$195 million in damages in lawsuits filed on behalf of 230 former Native students of the Blue Quillis Residential School.</p> <p>The suit also names the Oblates, the Grey Nuns, the Attorney General of Canada and the Roman Catholic Church as defendants. It alleges that the Native people suffered abuse and, "brutal, inhumane and cruel treatment" while they were students at the school in St. Paul.</p> <p>While many of the allegations contained in the court documents are of a general nature, more than 20 individuals, both lay and religious, are named in connection with specific allegations." By Jay Charland, Staff Writer Edmonton.</p>
1993 - August 8	<p>Anglican Archbishop Michael Peers tells nearly 150 Native people gathered for the Anglican Church's second National Native Convocation that he apologizes for residential school atrocities committed by the Church and for the "pain and hurt" experienced in church-run residential schools. "I have felt shame and humiliation as I have heard of suffering inflicted by my people, and as I think of the part our church played in that suffering." The apology was accepted by Native Elders.</p>
1996	<p>The Royal Commission Report on Aboriginal People is released. It is a comprehensive message of reconciliation between Aboriginal and non-Aboriginal peoples in Canada. Part of the breakdown in this relationship, is described in the RCAP report as the cultural superiority and policy of assimilation that finds expression in the Indian Residential Schools. The report is</p>

	<p>a sweeping condemnation of the attitudes and behaviour of the federal government. It suggests major reforms which to this day have been largely ignored by the Federal Government.</p>
<p>1998 - January 8</p> <p>Apology by Canadian Government</p>	<p>The Canadian Government apologizes to the country's 1.5 million Indigenous people for decades of mistreatment that include attempts to stamp out Native culture and assimilate Indians and mixed race people. Minister of Indian Affairs Jane Stewart reads a "Statement of Reconciliation" that acknowledges the damage done to the Native population - including the hanging of Louis Riel after he led a rebellion of Indian and mixed-race people in western Canada in 1885. The government apology stops short of pardoning Riel, something Indigenous leaders have demanded for decades. Stewart does, however, apologize for the government's assimilation policies.</p> <p>"Attitudes of racial and cultural superiority led to a suppression of aboriginal culture and values," she says. "As a country, we are burdened by past actions that resulted in weakening the identity of aboriginal peoples, suppressing their languages and cultures, and outlawing spiritual practices.</p> <p>We must recognize the impact of these actions on the once self-sustaining nations that were dis-aggregated, disrupted, limited or even destroyed by the dispossession of traditional territory, by the relocation of aboriginal people, and by some provisions of the Indian Act. The time has come to state formally that the days of paternalism and disrespect are behind us and we are committed to</p>

	<p>changing the nature of the relationship between aboriginal and non-aboriginal people in Canada."</p> <p>A \$350 million dollar Healing Fund is created. Most First Nations do not believe that this sum is anywhere close to compensating them for the damage to Native societies; the money does not include off-reserve Natives, Inuit or Métis.</p>
<p>2002 - March - "They are waiting for us to die."</p>	<p>Government officials say they are moving faster to compensate those abused in Indian residential schools, but critics warn victims caught in a sluggish process are dying off.</p> <p>Gabe Mentuck, 73, said his claim has dragged on for six years and he charged the government is "just waiting for us to die." He is claiming compensation for abuse that occurred at the Pine Creek Residential School in northern Manitoba in the 1940s.</p>

Thurs, February 24, 2005

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DEPARTMENTS



**SOCIAL SERVICES**  
 CO-ORDINATION UNIT

**Social Services Unit Update**

November 2000

**Ontario Works.**

As you are aware there is an agreement in principle among all parties in the Mushkegoc case to extend the Ontario Works opting out deadline for First Nations from October 1, April 1, 2001.

In the long term, AOCC Resolution 00/61 confirms there is consensus that a federal bill arrangement is preferred. While this will take a long time to put into place, steps have taken to advance this preference. In a meeting with John Donnelly (September 28th), acknowledged that it may take two years or more to develop a bilateral process in Ont while recognizing that this will make provision for a bilateral arrangement for all social programs in the future.

On September 28th, the Chiefs Committee on Social Services (re-established July 11th the AFN-AGA) jointly with the OISSC met with RDG John Donnelly to review the "Prop and the "Draft Terms of Reference" which will guide the bilateral discussions on the development, design and implementation of a First Nations social assistance framework

Most significantly INAC indicated that they are prepared to endorse an "Annex" to the Welfare Agreement.

The annex is to allow the Province to reimburse the federal government their current contribution to social assistance. (A legal opinion is currently being done on the pros a of being signatory to the '65).

INAC also stated that they have been waiting since July 1st for a letter of intent from t Province, which confirms that Ontario supports a bilateral arrangement for Social Assis between First Nations and Canada, and will not proceed with a bilateral arrangement v Provincial consent. In addition, the chiefs committee clarified that First Nations do not Ontario's permission to enter into a bilateral agreement with Canada. It was also state clearly that First Nations will continue with their developmental work on bilateral nego regardless of the provincial position.

**FBA Transfer**

It is the position of the Chiefs of Ontario that following the court ruling of August, wher judge found in favour of the Mushkegowuk Tribal Council, that the judge was clear in t direction that Ontario was not to alter from the current administration until such time : appeal is heard.

Most communities in the Sioux Lookout area have accepted the transfer of the former files/cases. Other First Nation communities have indicated that they are delaying the t as they do not want to impede the Mushkegowuk case in any way.

**Social Security Reform**

AFN and INAC have jointly been involved with an initiative titled "Demonstration Proje There are currently 17 projects in Ontario, either individually or collectively, in proposi innovative alternatives to independence from social assistance.

A national workshop is set for November 29 to December 1, 2000, to bring four First N

participants from each region to lay the groundwork for a series of regional workshops

#### **Bill 76**

An Act that will govern Social Service Worker's and Social Workers. The Act makes it mandatory for anyone wanting to use the titles social worker or social service worker to be members of the new College, pay an annual fee, and pass a "competency test" to be certified.

A "grandfather clause" would allow workers who did not meet the certification requirements to continue to practice for a period of two years after the establishment of the college before they are required to meet the requirements.

This legislation will affect First Nations across Ontario and may result in the loss of employment for many First Nation workers not 'fitting' the new regulatory requirements. Within the field of Native Social work practice, traditional healers are often consulted and requested to provide direct services to our membership. How will this imposed legislation impact the practice of traditional medicine within our communities?

Many people, organizations, associations, educators and academic institutions have been strongly opposed to Bill 76, as Ontario proceeded with the implementation very quickly without much consideration of the concerns raised.

The OISSC have met with the Circle of Original Peoples Council (COOPC), to heighten awareness of the impacts of the legislation on First Nations and to explore alternatives that will meet the needs of First Nation membership and communities. COOPC consists of first and graduates of the Native Bachelor of Social Workers Program offered at Laurentian University.

#### **First Nations/Inuit Child Care Initiative (FNICCI)**

First Nations across Ontario continue to face inadequate funding to meet the childcare needs of their communities. As per SCA Resolution 00/14, this file has been transferred to the AHRDA holders.

Although the OISSC is not directly involved with the AHRDA file, all members continue to be interested in the FNICCI and are committed to assisting in any way possible.

#### **Child Welfare**

Amendments to the CFSA were made with no consultation to First Nation's leadership, Child and Family Service Agencies or First Nation communities. These amendments ignore the family preservation model which has taken decades to recognize and deal with the impacts and realities of the Sixties Scoop. Respect for family, culture and the right of First Nations to deliver their own services has been replaced by mainstream values and standards that ultimately result in the removal of children from First Nation communities. As a result, the emphasis on "best interest" of the child, caseloads across the province have increased by an alarming 40% since 1996.

A moratorium remains in place for pre-mandated agencies to receive society status, which prevents First Nations in asserting authority for child welfare services. The OISSC, Child and Family Services Committee and the Association of Native Child & Family Services are in the process of coordinating a meeting with Ms. Cynthia Lees, Assistant Deputy Minister, to resolve the issues and concerns that First Nations have identified.

#### **Band Representative Program**

MCSS denies its responsibility to provide salaries for the Band Representatives program although the role is defined within their legislation. Furthermore, the province refuses to provide any resources to support the exercise of the Representatives' rights such as the actual expenses incurred while performing this critical role for our First Nations. Immediate

funding must be made available to provide salaries to our Band Reps., and standardize training to be developed and implemented as a result of the Reforms. Actual costs must be reimbursed to First Nations in supporting this position within each community. INAC has confirmed that the department will fund a review of this program.

A call for proposals will be issued, furthermore the OISSC is in the process of scheduling a meeting with the Association of Native Child & Family Services to develop the terms of reference and to select the consultant. Every effort will be made to ensure that the review is a comprehensive one that identifies the needs as well as the concerns of the communities.

#### **Social Services Demonstration**

AOCC Resolution 00/62 was adopted by consensus by the Chiefs-in-Assembly. A regional social services demonstration is being coordinated with respect to the imposition of provincial legislation imposed by the province of Ontario.

Wednesday, November 22nd, has been selected to demonstrate at Queens Park, this coincides with the Leadership Forum scheduled for November 21-23, 2000. Additional information and an "Issues Paper" will be sent out to all First Nations leadership and WAs by Tuesday, November 10, 2000.