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## Introduction

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# Foreword

Jerry White, Julie Peters, Peter Dinsdale, and Dan Beavon

## Introduction

The third triennial Aboriginal Policy Research Conference (APRC) was held from March 9–12, 2009, at the Westin Hotel in Ottawa, Ontario. This APRC, like those before it, brought researchers, policy-makers, and the Aboriginal community together to make connections, hear about leading research, and learn together. While focused on Canada, it also included indigenous peoples from around the world with more than twenty countries represented. Ultimately this conference hopes to facilitate better outcomes for Aboriginal people across the country and internationally. This conference is the largest of its kind in the world.

The conference goals were to promote interaction between the various actors in the Aboriginal policy field. Government representatives, researchers, academic institutions, Aboriginal organizations, and Aboriginal peoples all came together to present research, hear from others, and debate ideas. The APRC is structured to facilitate better policy development and the expansion of knowledge. The 2009 APRC accomplished all of this while providing an immediate forum and establishing foundations for ongoing deliberations to occur.

The Aboriginal Policy Research Conferences held in 2002 and 2006 planted the seeds for the success of the 2009 conference. In 2002, the Strategic Research Analysis Directorate of Indian and Northern Affairs Canada (INAC) and the University of Western Ontario (UWO) held the initial APRC. The first conference established clearly that there was both a great demand and a need for a conference of this nature. Over seven hundred delegates attended, and the response of those participating was overwhelmingly positive. In 2006 the National Association of Friendship Centres (NAFC) joined INAC and UWO as a co-chair to host the second APRC. While emulating many of the successful features of the 2002 conference, this conference expanded to include a greater emphasis on graduate students and more in-depth collaboration with the Aboriginal community. The revamped APRC was a tremendous success with over 1,300 participants attending. The 2006 conference also introduced international content with delegates from many countries attending. The United Nations used the conference to host one of its world consultations on indigenous well-being indicators.

Each of these conferences provided for greater numbers of partners to participate and collaborative opportunities to take place. We, the conference organizers, have learned from our mistakes and our successes to make important advances with each event. Our aim for the APRC has been to evolve without losing our initial focus and mandate.

As we moved into planning the 2009 APRC, we had hoped to build upon previous successes. The timing of the conference turned out not to be ideal. In late 2008, Canada was clearly entering a recessionary period of unknown duration and intensity. There was great concern about the direction of the economy during the late planning stages of our conference and during the key registration period. This clearly had an impact on the conference. There were those in the government and elsewhere that cautioned us and encouraged drastic cutbacks and even cancellation. We took the prudent path, rejecting calls for cancellation, and in the end decided to proceed with a leaner conference, placing the focus on research and dialogue while maintaining our commitment to infusing culture into the process. In the end, the APRC did not suffer from these actions and feedback has been very positive.

## **Foundations for the 2009 Aboriginal Policy Research Conference**

As with previous conferences, the 2009 APRC was developed to address the need to have an Aboriginal policy specific process that provided opportunity for dialogue on a wide range of public policy issues. As in past years, a great emphasis was placed on partnering with the Aboriginal community in a new way. The three co-chairs sought to find as many ways as possible to ensure that the broader Aboriginal community was truly involved and cooperated in the delivery of the conference. Three specific actions were taken. Firstly, Aboriginal researchers were invited through a call for proposals process to present their research. This action opened up the APRC to a whole range of public policy actors who did not previously have a natural way to fully participate in the conference. Secondly, the co-chairs invited national Aboriginal organizations to be members of the planning committee and to present their best research at the conference. This helped to ensure that the research priorities of the APRC were reflective of the research priorities of the Aboriginal community at large. Finally, the 2009 APRC ensured that Aboriginal people helped to organize, facilitate, and present all aspects of the conference. This extended from the co-chair position to using Aboriginal businesses and suppliers where they were available. In total, the 2009 APRC represented a best practice for interacting with the Aboriginal community in a truly cooperative and respectful manner.

In addition, this APRC also sought to ensure that a strong focus on the public policy process and its drivers was reflected in the conference. The 2009 APRC provided a forum to hear about leading research on the public challenges of the day. All of our partners—Aboriginal and government—were able to present their research, policy, and programming responses to these challenges. Each of the actors had an opportunity to engage with each other and build bridges to new understanding. APRC 2009 was no different than past APR conferences, as many

workshops on clean water, residential schools, and urbanization of Aboriginal people reflected the headlines of the day and ensured the conference was timely and relevant.

The conference demonstrated yet again that the original cross-cutting design remains relevant today. Stakeholders from across Canada and the world came together to interact. The structured dialogue that the APRC provides allowed for all public policy actors to work through some of the most challenging issues. The 2009 APRC provided an opportunity to learn lessons from past conferences and apply them. There were clearly some challenges to growing the conference in a difficult economic environment and remaining committed to its original vision and mandate. We believe that the 2009 APRC succeeded.

## **Aboriginal Policy Research Conference 2009**

The goals for the 2009 Aboriginal Policy Research Conference were as follows:

- to expand our knowledge of Aboriginal issues
- to provide a important and neutral forum where these ideas and beliefs can be openly discussed and debated
- to integrate research from diverse themes
- to highlight research on Aboriginal gender issues
- to highlight research on urban Aboriginal issues
- to allow outstanding policy needs to shape the future research agenda

In pursuing these goals we sought to make some improvements upon past conferences. Three innovations took place at the 2009 conference. As previously mentioned, this APRC sought greater collaboration with national Aboriginal organizations. After the 2006 APRC, some organizations felt the conference could be strengthened with greater, more in-depth collaboration—and they were right. Organizations were brought on as partners and involved in planning and preparations for the conference. In addition, these organizations were provided with opportunities to present their research.

In addition, a greater international focus was present at the 2009 APRC. Many countries around the world are dealing with the same issues we face in Canada. A larger number of international delegates came to participate in the 2009 conference. Representatives from the United Nations Permanent Forum on Indigenous Issues also participated in our sessions.

Finally, we sought to deepen our commitment to and support of Aboriginal students at this year's conference. A new scholarship for Aboriginal graduate students, that will be delivered through the National Aboriginal Achievement Foundation, has been developed. The scholarship is named after Gail Valaskakis, a tremendous Aboriginal policy advocate who touched all who knew her. The

Gail Valaskakis Memorial Aboriginal Policy Research Conference Bursary will provide \$7,500 over three years to Aboriginal graduate students. It is a fitting tribute to a remarkable woman who was our friend and conference partner.

In addition, the NAFC reached out to the private sector to find resources to bring Aboriginal students from across Canada to attend the conference. After a call was sent out, over fifty youths were brought to Ottawa. Graduate students were also provided with the opportunity to participate this year; a specific call for papers was made to graduate students to present their research at the 2009 APRC. All ten graduate students that were selected in the cross-Canada competition won a scholarship from the conference!

The 2009 APRC also saw the first ever Cinema N' Chat series during which Aboriginal films and films about Aboriginal issues were shown with some commentary from the filmmakers or special guests. The films ran concurrent to the conference and allowed APRC attendees to explore this medium and learn from the films and their makers. This is one example of the variety of activities that take place during the conference to help facilitate dialogue; among the other activities were dozens of dance, music, singing, and art performances presented around the clock. We had visiting artists from several other countries performing at plenary sessions, evening socials, and in the hallways.

These new innovations were not the only improvements made at the 2009 conference. As in past years, two calls for papers were sent out for interested parties to present at the conference. A call for papers for the academic community was overseen by UWO. In addition, the NAFC conducted a second call for papers by Aboriginal communities wishing to present research at the conference. In the end sixty academic and thirty Aboriginal community researchers were selected, and their work complemented our partner's papers.

The 2009 APRC also saw expanded partnerships. As previously discussed, a new category of Aboriginal organizations was brought on board as planning partners. In addition, we reached out to government organizations to become financial and planning sponsors. As a result twenty government partners and twenty Aboriginal partners helped to make the conference a success. It should be noted that the 2009 APRC saw Ontario come on board as a funding and planning partner, the first province to do so. It is the co-chairs' hope that this type of partnership will be expanded at future conferences.

So how did we do? Despite some of the challenges we faced, the 2009 APRC was our most successful yet. Over 1,300 delegates attended the conference. Over 150 workshops and 459 research presentations were provided. Plenary sessions and pre-conference workshops added to the wide range of discussions that took place. Numbers are only part of the story—feedback from participants was enthusiastic concerning relevance, quality, and opportunity to make connections with others concerned with like issues.

Ultimately it is the new knowledge and learning that come out of these discussions which will speak to the success of the 2009 APRC. We believe that it is the very structure of the APRC that will help to ensure its success. The workshops are developed in such a way as to encourage broad reflection on a host of areas and how they impact each other. Justice, social, economic development, health, governance, infrastructure, demographic, and urban issues, among others, are all part of the same story. We are chasing the answers to important questions, and as the conference unfolded we could see progress being made.

### ***Building a Collaborative Environment***

As in past years, at the 2009 APRC we sought to ensure the conference environment helped to support our goals. Elders opened each session. Drummers helped to set the overall tone and mood of the conference. Fiddlers, throat singers, and dancers demonstrated the vibrant First Nation, Métis, and Inuit cultures that thrive in Canada. These were not side events or additions to the conference, but critical pieces that helped to ground conversations and support our collective efforts.

Ultimately, all of these efforts are made to help ensure that we create a better policy and research environment. Policy-makers require solid, evidence-based research to make decisions. Policy-makers also need to ensure that decisions are being made in a collaborative way that addresses the articulated needs of communities. The 2009 APRC provided the policy/research nexus, in a supportive environment, for this collaboration to take place.

The next conference will be in 2012; we hope you will be involved.

### ***Proceedings***

The co-chairs have decided that we will continue our tradition of publishing the best papers from the conference in our book series, Aboriginal Policy Research. Volumes 6 through 10 of the series do not represent all of the work discussed at the conference, but a cross-section. The following section describes what is included in this volume of the series. Consider these proceedings our invitation to you to join in the next journey.

# Introduction to Aboriginal Policy Research: History of Treaties and Policies

Erik Anderson, Jean-Pierre Morin, and Jerry White

Past Aboriginal Policy Research Conferences in 2002 and 2006 included only limited sessions and presentations dedicated to the history of Crown-Aboriginal relations. As these past conferences have shown, history has not been a central element of the conversation of policy-relevant research that is more typically promoted. There are a variety of reasons for this oversight. The general lack of awareness of the importance of history in public policy development is primarily attributable to the education system, which fails to make students aware of how history has shaped the society in which they live. The social problems that need addressing, that may require a government policy response, are the problems of today. Why should we care what happened decades or hundreds of years ago? This is *not*, however, a question of being “forward-thinking” as opposed to being “stuck in the past.” Rather, it is, and must always be, a question of informed decision making. Many students, when asked about the importance of history, would at least respond that history helps to prevent the repetition of past mistakes. While laudable, this is not the only reason that we study history, and may in fact contribute to relegating history to a loosely connected series of “significant” events, such as wars or other calamities. This is the “when” and “what” of history but often does not take us into the deeper understanding of the “why.” In the historical context of policy development, for example, we must examine several elements—the historic tension between change and continuity, the multi-layered impacts of culture contact, and the power dynamics, motivations, and agency within different levels of society—including class, gender, race, religion, ideology, etc. Public policy development absolutely requires an understanding of what has come before, in terms of events yes, but also in terms of human relations. Nowhere is this truer than in the area of Aboriginal policy, where policy development is increasingly understood to require close partnerships, cultural understandings, and trust. In order to move forward in true partnership on Aboriginal policy development, a repairing of the broken trust and reconciliation of relations stemming from our shared past is essential.

The 2009 Aboriginal Policy Research Conference included greater historical content in both a day-long pre-conference workshop, and different sessions run throughout the conference on aspects of First Nation, Métis, and Inuit history of relations with newcomers to their lands. The pre-conference workshop, “Historic Treaties with First Nations in Canada: Historical Context and Modern Meaning,” was jointly hosted by the Strategic Research and Analysis Directorate and the Treaty Relations Directorate of Indian and Northern Affairs Canada, and was

facilitated by respected Aboriginal historian and Canadian Research Chair Jim Miller. Nine experts from across Canada (along with federal and provincial policy analysts, representatives from Aboriginal organizations and communities, and students) were brought together to speak on the Canada-First Nation treaty relationship, ranging from the Peace and Friendship Treaties of eastern Canada to the Numbered Treaties of western Canada. The first six papers of this volume were selected from the presentations made at this workshop. The remaining four papers were selected from various conference sessions, and examine a range of topics from the history of residential schools to the history of Inuit-Canada relations to pre-contact precedents for today's economic development initiatives. These papers represent not only a wide range of subject matter, but also divergent views and perspectives. Witness, for example, the somewhat optimistic, if guarded, tone struck by Miller in relation to the recent residential school apology, in contrast to the more pessimistic view of David and Paul-Emile McNab. It is hoped that this special volume of conference proceedings, based on the history papers presented at the conference, will stimulate not only informed debate and our understandings of history, but also help elevate history to its rightful place in the discussion of policy-relevant research.

The first of two papers in this volume by Jim Miller (**Chapter 1**) helps to set the stage for Part One, "Historic Treaties and Modern Meaning," by outlining four different phases of treaty-making in Canada: commercial compacts, peace and friendship treaties, territorial treaties, and modern treaties. The first half of Miller's paper is in large part a summary of his new book, published by University of Toronto Press, *Compact, Contract, Covenant: Aboriginal-Crown Treaty-Making in Canada*. Of the treaty phases mentioned, the territorial treaties phase is the most relevant for this volume. It is based on the requirements of the Royal Proclamation of 1763, and includes the Upper Canada Land Surrender, Robinson, and Numbered Treaties covering half the land mass of Canada, from Ontario to British Columbia. The Royal Proclamation is a founding document of immense importance to Crown-First Nation relations, and indeed the creation of Canada; its history, meaning, and interpretation are further explored in the paper by Jean-Pierre Morin (**Chapter 2**). Also of note, Miller explores the First Nation conception of the treaties, including the use and meaning of kinship relations in the negotiation of the earlier Numbered Treaties. He points out that the differences in treaty interpretation between the government—the treaties were one-time land purchases—and First Nations—the treaties were sacred kin-based covenants to be renewed regularly and adjusted—continue to plague the relationship today. This latter First Nation view, and the implications of this view for modern treaty interpretation, are further discussed by Erik Anderson in his paper on treaty annuities (**Chapter 5**).

The second half of Miller's paper is historiographical in nature. It discusses, using a number of examples, the particular brand of historical analysis promulgated through the courts. The courts, Miller argues, having to rule on complex



matters in a timely fashion, tend to view history as a continuous linear narrative of “facts,” and are not trained to appreciate the full historical context, or to sift conflicting interpretations from the historical record. The results can have severe consequences for the reshaping of history. Miller briefly outlines the evolution of the courts’ treatment of history through numerous key decisions, ending with the example of the “honour of the Crown” concept in jurisprudence, whereby it is assumed that the Crown had acted honourably as a matter of course, whether or not the historical context supports this supposition. Arthur Ray’s engaging paper (**Chapter 4**) is also centred on problems of historical interpretation in court cases in which he often acted as expert witness for the defendant. Miller argues that it is necessary to understand the difference between history as written by historians and legal history as written by judges in order to build consensus on treaty interpretation.

The next paper by Jean-Pierre Morin (**Chapter 2**) provides insight into the historical context and meaning of the surrender clauses of Upper Canada Land Surrender treaties through an examination of four treaties signed between 1790 and 1827. What exactly did parties to the Upper Canada treaties believe was being surrendered? Was it simply title to the land, or did it also include a surrender of the right to hunt and fish on the ceded land? Morin demonstrates a consistency in the language and conception of Aboriginal surrendered lands as “hunting grounds” from historical context for the Royal Proclamation of 1763 to subsequent application of this policy in Upper Canada. He explores in detail the shift in government policy priorities from an interest in maintaining strong military and trade alliances by protecting Aboriginal hunting ground, to an increasing need to secure that same land for settlement, for example, for Loyalists. This shift in policy over time led to increased alienation of hunting grounds from Aboriginal use, where Aboriginal signatories were expected to relocate to unceded territories or reserve lands. This stands in marked contrast to the intent behind the Robinson and early Numbered Treaties to allow First Nations to continue to hunt and fish on surrendered land for livelihood purposes (including commercial activities), as outlined in the paper by Arthur Ray (**Chapter 4**). Morin argues that hunting and fishing were only permitted on lands set aside as reserves in the four Upper Canada Land Surrender treaties examined, and that evidence suggests this was likely understood by Aboriginal signatories.

The question of land surrender and land rights also comes up in the next paper by Jean Manore (**Chapter 3**). Manore examines the prevailing ideology of liberalism towards a deeper and more nuanced understanding of the government’s motivations and views of treaty. The liberal order framework can explain much of government’s thinking and actions behind the treaties, but contradictory or competing views or ideologies resulted in a certain amount of adaptation or ambiguousness in its application. Manore examines each of three components of the liberal order framework in turn: individualism, belief in private property, and the rule of law. While she demonstrates the pervasiveness of the liberal ideology

using specific examples, she also points to a number of factors to help explain why liberalism could not be completely realized in the context of Native-settler relations. Such factors include First Nation resistance to the liberalization of their lands, and the more conservative orientation towards minority rights and protection of the less fortunate, as a counter to the liberalism of individual rights and notions of equality whereby the freedoms of one should not be greater than the freedoms of another. An example of this tension is provided in terms of an historical debate between provincial and federal governments over the hunting and fishing guarantees of the treaties. To what extent should Aboriginal people have access and harvesting rights to resources over and above those available to other Canadians? This is a tension that continues to this day, and has resulted in conflict over Aboriginal fishing rights on both coasts as well as various court decisions of Aboriginal or treaty rights relating to hunting and logging across Canada.

Arthur Ray deals directly with the treaty promises of livelihood assistance in the Robinson and various Numbered Treaties in his paper “Shading a Promise” (**Chapter 4**). Ray begins by providing a number of examples from key court cases, in which he acted as an expert witness, concerning the interpretation of treaty rights of harvesting for subsistence versus commercial purposes. He concludes that too much has been made of this distinction, and that parties to the treaties did not discuss livelihood in such specific terms. Next, he addresses the purposes of the livelihood rights clauses in the Robinson Treaties, where he argues, in sharp contrast to the Upper Canada Land Surrender Treaties from Morin’s paper, that the purpose was to protect the Aboriginal right to continue traditional livelihood on surrendered lands, while also allowing for mineral development. Ray draws a useful distinction between those northern First Nations who remained economically reliant on the fur trade, and southern First Nations whose economies were more diversified. The northern groups, Ray argues, were more intent on the treaty benefits that could be had, particularly the annuities that could be used to help pay for hunting supplies over the winter months. He demonstrates how government used this north/south division during both Robinson Treaty and Treaty 3 negotiations to reach an agreement with the more intractable southern groups by first negotiating agreement in the North. Ray also briefly reviews the oral assurances that First Nations could continue to hunt as part of Treaty 1 and 2 negotiations, where written clauses to this effect were strangely absent. Finally, Ray argues that government did not originally intend the level of restrictions that have since been placed on Aboriginal harvesting when the revised livelihood rights clause reappeared in Treaty 3, and was duplicated in subsequent Numbered Treaties.

Erik Anderson picks up on this theme in his examination of the intent behind the treaty annuity as livelihood assistance (**Chapter 5**). Anderson explores both the government and First Nation perspectives on the treaties, and argues that livelihood assistance was understood by all parties as an important treaty objective—and was specifically an objective of the treaty annuity. He begins by examining government rationale for the conception of the annuity in 1818 as

both a cost-cutting measure and means to assist First Nations with maintaining or obtaining a livelihood (traditional or transitional). He analyzes the extent of government treaty assurances of livelihood assistance, and the First Nation expectations that they, and future generations, would be looked after under the treaty relationship. Anderson provides evidence of government's view of the annuity as important assistance for First Nations for some time after the Numbered Treaties were signed, including its proscriptions on how the annuity should be spent, its attempts to use the annuity to control behaviour, and its conception of the annuity as a temporary means of welfare support until First Nations became enfranchised (or took up Métis scrip). Treaty elder views of the annuities and promises of livelihood assistance are also examined.

The second part of Anderson's paper deals with the annuity as part of a pre-contact Aboriginal gift-giving protocol of relationship renewal. He provides a brief history of gift diplomacy and relationship renewal as part of early trade and military alliances, as well as the Hudson's Bay Company gift protocol, and argues that the concept of an annual payment fit well within an overall trend of adopting Aboriginal traditions of relationship renewal. He further examines the annuity as continuation of the fur trade practice of providing relief or, as mentioned in Ray's paper, provisioning First Nations for the hunt, especially over the winter months. Expanding on the ideas introduced by Miller, Anderson points to the First Nation belief that the treaties could be adjusted according to need as part of treaty renewal. Evidence of First Nations refusing to accept the annuity, linguistic evidence, and other evidence from treaty elders, is used in support of his contention. Importantly, Anderson attempts to draw modern meaning from this treaty interpretation by examining a number of recent calls to revisit or revitalize the historic treaty relationship. In the end, Anderson finds that an examination of the annuity speaks directly to the livelihood intention of the treaties and the need to address a renewal of the ongoing treaty relationship.

Recommendations for renewal, or forging a new treaty relationship, are also featured in the next, and last, paper from Part One. This paper (**Chapter 6**) is composed of the speaking notes from the address to delegates of the pre-conference workshop by the treaty commissioner of Saskatchewan, the Honourable Bill McKnight. While not in and of itself a research paper, these notes are included here precisely because they provide direct policy relevance for historical research into the Canadian Aboriginal treaty experience and relationship. McKnight takes as a starting point the treaty principles outlined in an important oral history project with treaty elders of Saskatchewan: getting along with others, living together on the land, and making a living. He states that as the treaties were intended to enable First Nations to share in new economic opportunities, the fulfilling of treaty promises should be met through economic activity. This notion has direct links to the livelihood rights treaty research in the preceding papers by both Ray and Anderson. McKnight helps to set the stage for the current policy discussion by providing some background to the commission, its mandate, and its past

successes that can be built upon in the future. He is particularly proud of the treaty land entitlement initiative that saw two million acres added to Saskatchewan reserves, and the mandatory K–12 education program, “We are All Treaty People.” As a former minister of Indian and Northern Affairs Canada, McKnight has a great deal of first-hand experience negotiating different aspects of the First Nation–Government of Canada relationship. One of his strong recommendations for forging a new treaty relationship is to address the highly anachronistic *Indian Act*, which he sees as a serious impediment to ongoing treaty implementation. A similar sentiment regarding the harm done by the *Indian Act* is expressed in the paper by McNab and McNab (**Chapter 10**). McKnight’s vision for successful treaty implementation involves close partnerships, including community and provincial engagement, and a process guided by elders, sufficiently funded, and built on a new legislative framework.

Part Two of this volume, “From History to Policy,” begins with a paper (**Chapter 7**) by three authors from a British Columbia research firm specializing in economic development, Fiscal Realities Inc., who have worked closely over the years with the First Nations Tax Commission and its chief commissioner, Manny Jules. André Le Dressay, Normand Lavallee, and Jason Reeves begin their paper with words by Manny Jules to the effect that market economies were a traditional aspect of Aboriginal cultures throughout the Americas. They then set out to demonstrate how all six identifiable characteristics of a market economy find expression in different pre-contact Aboriginal cultures. These six characteristics include specialization and comparative advantage, complex trade networks, public infrastructure, standards, laws and dispute resolution mechanisms, mediums of exchange, and property rights. Examples used include the pipestone trading network of the Midwest, the public infrastructure of the West Coast oolichan grease trails, the Great Law of the Iroquois, the use of dentalium shells as a medium of exchange along the West Coast and interior, and the property rights of the Ojibwa, among many others. The authors draw direct policy relevance from these examples by arguing that contemporary economic development opportunities towards emerging comparative advantage for First Nations in the marketplace is not a foreign concept, and that recent legislation designed to stimulate First Nations economic growth can be embraced as a restoration of traditional market cultures.

The second paper by Jim Miller in this volume (**Chapter 8**) is a concise, eloquent, and timely summary of the residential schools history and more recent attempts by various churches and governments to address, and indeed take responsibility for, one of the most troubling chapters in Canadian history. Miller outlines how a shared historical responsibility for the residential schools between the federal government and churches had led to a multitude of administrative problems, creating an environment of neglect and abuse. Some of the endemic, and related, problems with school administration were a lack of qualified teachers, lack of effective oversight function, and systemic underfunding. After some

discussion of community response to the schools, Miller takes us through some of the more recent events, starting in 1990, which first brought the scandal to light, as well as subsequent attempts to address it. He spends some time on the federal response, ending with a timely discussion of the role, mandate, and recent controversy of the Truth and Reconciliation Commission (TRC). Miller ends his paper on a positive note, pointing to some encouraging signs that the healing has begun. It is hoped that the recent announcement of a new commissioner for the TRC, made since the writing of Miller's paper, will continue the healing process outlined in this paper.

The next paper by Erik Anderson and Sarah Bonesteel (**Chapter 9**) provides a brief overview of federal policy development concerning Inuit in Canada. This chapter is based on the recent book, *Canada's Relationship with Inuit: A History of Policy and Program Development*, and is centred around the themes of a lack of consultation and cultural competence when developing past policies. The authors wish to convey not only the importance of consultation and cultural competence when developing policies today, but also to highlight some of the reasons behind the mistrust which can continue to impede progress in working together on shared policy goals. Many topics are covered in this wide-ranging chapter, from the 1939 *Re Eskimo* decision, which gave the federal government constitutional responsibility for Inuit, to early attempts at administration, such as the E-number identification program, evolution of military defence in the North, Inuit relocations, and post-Second World War policy and program developments in education, health care, and housing. Government was initially seen as a rather reluctant administrator of Inuit affairs, and it was not until after heavy criticism, a newfound social consciousness on the heels of the Second World War, and growing northern sovereignty concerns that the federal government became more actively involved in the North. Some of the examples of problems in past policy and program development that are highlighted include a lack of cultural awareness, which made true consultation over Inuit relocations difficult to achieve; a lack of culturally appropriate curriculum and teaching methods in education initiatives; a lack of consultation when removing Inuit from northern communities for tuberculosis treatment in southern sanatoria; and failure to consider Inuit cultural use of space when planning the construction of houses. The authors point out that despite comprehensive claim settlements in each of the four Inuit regions of Canada, the federal government still plays an active role in terms of claims implementation and other policy development, and that occasional criticism of inadequate consultation continues to this day. All of this speaks to the need for policy-makers to be aware of lessons from the past when creating the policies of today.

The last chapter of this volume by McNab and McNab (**Chapter 10**) also highlights a number of recent historical developments in Aboriginal policy, but takes a decidedly more pessimistic view of whether future actions by the government will back up, or give meaning to, what is arguably one of the most significant events in the history of federal Aboriginal policy—the residential schools apology made

in the House of Commons in June 2008. McNab and McNab identify Aboriginal people as primary shapers of policy through their resistance to current government actions and policies. The main examples of recent Aboriginal policy covered here include the failure of the current government to sign on to the International Declaration on the Rights of Indigenous Peoples; the failure of a previous government's attempts to address *Indian Act* barriers to economic development with its *First Nations Governance Act* proposal of 2002; the Ipperwash Inquiry into the shooting death of Dudley George at the hands of police over an Ontario land dispute; current specific claims policies and the failure to resolve another recent land dispute in Caledonia; and the Kelowna Accord of 2005, negotiated with an outgoing government and five national aboriginal organizations only to be subsequently scrapped by the incoming government. These and other events have led McNab and McNab to seriously consider the sincerity of the residential schools apology. They call on the federal government to honour the apology through partnering with Aboriginal peoples in the building of a more equitable "nation of nations."