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Reconciliation Rhetoric and Realities in the Canadian TRC

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Introduction

There is a truism in the discourse about truth and reconciliation commissions (TRCs) around the world that "truth" is an elusive and difficult goal in the aftermath of widespread human rights abuses, but achieving "reconciliation is infinitely more challenging and elusive. It is not surprising, therefore, that TRCs generally have given greater attention to truth-related methodologies, such as documenting abuses, forensic investigations, and collecting personal narratives than to methodologies aimed at fostering mutual understanding, reparation, or reconciliation.

This paper will briefly analyze the activities of the Truth and Reconciliation Commission of Canada, revealing a similar pattern for Canada's TRC, which highlights two key questions. First, how is reconciliation understood in the aftermath of Canada residential school system? Second, how likely is it that the work of the TRC will advance reconciliation? After briefly discussing understandings of truth and reconciliation, the paper will report on pilot research with participants at the first National Event the TRC sponsored in Winnipeg in June 2010. We will conclude with some comments whether, and how, the TRC can contribute to advancing reconciliation in Canada.

Other truth commissions

The contemporary experience with truth commissions started in Argentina in 1983 when the National Commission on the Disappearance of Persons documented almost 9,000 cases of people who had "disappeared" at the hands military in the previous two decades[1] (Hayner 2011). During the 1980s, truth commissions were established in Uruguay, Zimbabwe, Uganda, and the Philippines. In 1990, Chile established the first body with the name "Truth and Reconciliation Commission," adding a formal emphasis on reconciliation to the mandate of the commission.

Several countries subsequently had reconciliation as part of the name of a commission: South Africa (in 1995), Peru (2001), Yugoslavia (2001), Ghana (2002), Timor-Leste (2002), Sierra Leone (2002), Morocco (2004), Democratic Republic of Congo (2004), South Korea (2005), Liberia (2006), Solomon Islands (2009), Togo (2009), Canada (2009), and Kenya (2009).

Space does not permit discussion of all of these attempts at fostering reconciliation in the aftermath of human rights abuses, but a ready observation is that TRCs typically have devoted more effort and methodology to various attempts at truth-seeking than to building reconciliation (Llewellyn 2008). The exception may be the Commission for Reception, Truth, and Reconciliation in Timor-Leste, which included procedures for

[1] There were prior, ill-fated truth commissions established in Uganda (1974) and Bolivia (1982) that either did not complete their work or had their report buried.

facilitating reintegration of perpetrators of lesser crimes into the community, drawing upon traditional mechanisms for dialogue and negotiation among community members.

The South African commission is the one that has the greatest visibility in Canada, no doubt as a function of receiving more coverage in the popular media in North America, as well as its innovative and controversial approach to offering amnesty to perpetrators who met certain criteria. Like other TRCs, its methodology and resources were directed primarily toward *truth-telling*, with a lesser emphasis on reparations and. It is interesting, however, that evaluations and criticisms of the South African TRC are often based on the extent to which it achieved (or failed to achieve) *reconciliation* (see for example, Govier 2006).

As indicated earlier, truth is multi-faceted, and truth commissions typically recognize that there are a variety of forms of truth, including forensic or factual truth, narrative or story-telling truth, or social or relational truth that emerges from collective exchanges and experiences.

Reconciliation

Just as there are multiple understandings of truth, there are a variety of understandings of what reconciliation is, and many debates about whether reconciliation is possible or desirable (Peachey, under review). The literature on the meaning of reconciliation is long on debate and short on agreement. Charles Villa-Vicencio observed succinctly, "'Reconciliation' is a burdened and difficult word," and framed key points of debate about the meaning and desirability of reconciliation:

> For many, it has deeply personal religious overtones. For others, it connotes romantic notions of 'forgive and forget.' Some question whether it has positive meaning in the political realm. Others ask whether it is appropriate to speak of *re*conciliation or *re*storation in the absence of previous situations, relationships, or social realities to which one can realistically return. For some, there is no tangible memory of peace. For many, the reality of suffering is still too raw to contemplate the possibility of reconciliation. Others simply resolve never to reconcile (2006:59).

Villa-Vicencio went on to argue that reconciliation in a post-conflict nation is *realism*, not a utopian dream. He reasoned that forgiveness is not necessarily a component of political reconciliation, but reconciliation is nevertheless a matter of political survival. As such, reconciliation is grounded in "the art of what is possible at a given time" (2006:60).

David Crocker has outlined a continuum of definitions of reconciliation (2002). One end of this spectrum is exemplified by Desmond Tutu's appeal for forgiveness and rapprochement that places reconciliation and other restorative approaches to justice above retributive justice. Tutu's approach is grounded the concept of *ubuntu*, where all people are interconnected and become fully human through mutual relations (1999). At the other end is 'nonlethal coexistence' where largely separated communities live without open violence under some semblance of a rule of law. While Crocker noted that nonlethal coexistence can be a remarkable achievement in some divided societies with long histories of conflict, he favored a middle-range conceptualization of

reconciliation employed by Gutmann and Thompson (2000) as 'democratic reciprocity.' This latter form is presented as more demanding than nonlethal coexistence, but less robust that Tutu's call for forgiveness and reconciliation. It requires all parties to respect one another as fellow citizens, and for all parties to engage equally in deliberations regarding the affairs of the country and in charting its future.

Susan Dwyer rejected any conceptualizations of reconciliation that are predicated upon forgiveness of moral wrong or imply that one *ought* to reconcile, concluding that in situations like South African apartheid, forgiveness of moral wrongs is simply not possible. In her article, "Reconciliation for Realists," she wrestled with questions of what reconciliation might mean at for large groups of people (2003). She concluded that when there are competing narratives among groups, or large-scale disruptions to a nation's narrative, the "continued well-being or very survival of the community or nation, depends on how it manages to incorporate and accommodate these disturbances and challenges to its prevailing narrative of self-understanding" (2003:98). The task of political reconciliation is therefore one of constructing a coherent narrative that incorporates both the atrocities of the past, as well as the possibility of building co-existence as political equals.

In discussing the work of the Canadian TRC, Llewellyn situates reconciliation within the context of restorative justices, which she says "is not about getting parties to hug and makeup; rather, it strives to create the conditions of social relationships in which all parties might achieve meaningful, just, and peaceful co-existence" (2008:189). She argues that the primary relationships to be restored are not interpersonal ones, but *social* relationships, ones that result from the fact that we share the same physical or political space.

Just as there is not a single form of "truth," there is not a single form or definition of "reconciliation." Nor is it necessary to argue for why one approach is "best" or assume that one is appropriate for all situations. As reflected in Crocker's continuum, processes designed to foster truth and reconciliation must recognize multiple understandings and paths. One of the errors of the transitional justice literature is to discuss multiple forms of truth, but then argue for a single form of reconciliation. In this light, we look at how a group of Canadians who have demonstrated an interest in the work of the Canadian TRC understand reconciliation.

TRC of Canada

In 2006 the largest settlement for a class action lawsuit in Canadian history resulted in a court-approved agreement that contained several mechanisms to seek redress for harms arising from the Indian Residential Schools system that operated in Canada from 1882 to 1996. One aspect of this settlement called for the establishment of an Indian Residential Schools Truth and Reconciliation Commission, and outlined a five-year mandate for the commission. The three persons appointed as commissioners resigned prior to the operation of the commission, and subsequently three new Commissioners were appointed and the name was changed to the Truth and Reconciliation Commission of Canada.

The terms of reference approved by the court for the commission include acknowledging residential school experiences and impacts, creating a complete historical record of the schools and their legacy, promoting public awareness, and to "witness, support, promote

and facilitate truth and reconciliation events at both the national and community levels (IRS Settlement Agreement 2006:1.c)."

The commission has used the phrase "The truth of our common experiences will help set our spirits free and pave the way to reconciliation" as a motto in many of its communications, although more recently, this phrase has been disappearing from the commission's web site.

The TRC has plans to sponsor seven national events across Canada, along with a multitude of local community events, visits by commissioners to many Aboriginal communities, research and artistic projects, and to establish a permanent National Research Centre.

Methodology

The first of seven "National Events" planned by the TRC took place June 16-19, 2010, in Winnipeg. The event was held at "The Forks," a venue at the confluence of the Assiniboine and Red rivers that incorporates a combination of outdoor and indoor facilities. Despite inclement weather on two of the days, the event attracted an estimated 8,000-10,000 participants to a wide range of activities including an outdoor concert, an academic conference, public and private statement-gathering sessions from residential school survivors, and a variety of informational workshops. The ethos of the event was steeped in Aboriginal cultures and spirituality, with a sacred fire lit at daybreak that burned throughout the event, music, drumming, and daily prayers.

Much of the focus was on obtaining statements from survivors of residential schools, either in private sessions, or in public sessions attended by the three Commissioners. The individuals and institutions that would be deemed to be responsible for the residential school policy and for abuses within that system had a low profile. The church groups that sponsored Indian residential schools held a welcome reception for survivors, and there was an interfaith tent with a series of programs sponsored by the churches. The Governor General spoke at the event as a representative of Canada.

This event provided the setting for participants in the National Event to respond to surveys and interviews about their understanding of reconciliation in the context of the Indian residential school legacy.

The researchers obtained permission to set up a booth with a sign "What is reconciliation?" and to invite participants at the National Event to participant in either a short written survey or an interview. The selection of the research subjects was non-random, and the research seen as an initial study to refine hypotheses and test the research protocols, rather than collecting data from which we can extrapolate conclusions to a larger population.

Ninety-five participants completed a written survey with 14 open-ended questions and scaled ratings that took 15-20 minutes to complete. For a few participants with limited

literacy, surveys were administered orally by a member of the research team, and few were submitted by participants of the event at a later date on a secure online survey.

In-depth interviews were conducted with five participants to provide an opportunity to probe more fully understandings of different aspects of reconciliation. The interviews followed a structured set of questions and lasted 30-45 minutes. The interviews were video-recorded and edited to produce a DVD for educational purposes.

These research activities were undertaken in outdoor venues at The Forks, and were affected by the weather. On the second day of the National Event, a severe storm and a tornado warning forced the closure of all outdoor venues, and wet weather persisted into the next day, resulting in fewer interviews being conducted than had originally been anticipated.

Respondents
The respondents were 49 females and 48 males, with 3 respondents not indicating their gender. Seventy-five percent identified themselves as Aboriginal, and of these 52% indicated that they had attended at least one residential school. Fifty-two percent live in Manitoba; the remainder in other Canadian provinces, except for five respondents from South Africa, Australia, Germany, Ecuador, and Palestine.

Findings

What is reconciliation?
A series of questions probed understandings of reconciliation, beginning with word associations with the term, then moved to definitions of reconciliation and scaled items measuring the extent they thought reconciliation in the context of residential schools is applicable to individual, community, or national relations.

In response to an open-ended question about the meaning of reconciliation, the most frequent response (33%) involved revealing truth and increasing awareness of the residential schools experience. Twelve percent indicated that reconciliation should involve all parties. Other common responses included acceptance/tolerance for one another (10%), making and accepting apologies (9%), reclaiming culture (9%), justice (8%), and perpetrators acknowledging their crimes (8%).

When asked more specifically about reconciliation in relation to residential schools, many respondents expressed uncertainty about what reconciliation means in this context. One survivor began his comments with, “I don’t even know what that word means.”

The most frequent definition offered involved “healing” (27%). One residential school survivor stated that reconciliation means “fixing something that is not necessarily physical, but more spiritual or emotional.” However, some respondents made a distinction between healing and reconciliation. One survivor responded, “Reconciliation: a step *beyond* healing.” Another survivor explained that “better terms are recovery, hope and balance.”

Almost as frequent as healing responses, respondents offered comments related to coming together or uniting on a community or national scale (26%). In addition, 17% responded in terms of returning to a harmonious relationship between all Canadian people. The harmonious relationships response was more common from non-Aboriginal respondents than from Aboriginals.

Twenty percent offered responses related to "moving forward." One person expressed it as "Reconciliation—the ability to look back and move forward." Other responses related to forgiveness (15%), and making amends (14%).

Respondents were also asked how they would know that reconciliation had been achieved. Twenty-six percent indicated that survivors and their descendents would live healthy lifestyles. One person answered that reconciliation is "families of survivors learning how to be family again and reclaiming our culture, specifically our language and traditions." Another remarked, when "all survivors are not shouldering the pain and suffering they have been through." Another 17% indicated that reconciliation would be achieved when there was tolerance, acceptance, and celebration of difference among all parties.

Apologies
With respect to the formal apologies offered by the Canadian government and various church bodies in recent years, respondents were asked to respond on a 5-point scale (with 5 being highest) to the extent to which these formal apologies have contributed to the possibility of reconciliation. The mean response was 2.58. It is interesting that non-Aboriginal respondents saw the apologies as more significant (m=3.21) than did other respondents, while individuals who had attended residential schools rated the formal apologies as making the least contribution (m=2.25).

Levels of reconciliation
In rating the importance of reconciliation at three levels of society, participants gave uniformly high ratings to all levels—individual (4.59), community (4.64), and national (4.60).

When asked to assess the likelihood that reconciliation can be achieved at each of these levels, the ratings were somewhat lower: individual (3.98), community (3.89), and national (3.65). The fact that there was little difference between ratings of person or political reconciliation in these two questions is striking.

Role of TRC in reconciliation
When asked about the role TRC in achieving reconciliation, 46% responded that the TRC's main role is education and awareness. Only 12% indicated the TRC should create dialogue. Some survivors did mention the lack of opportunities for survivors, perpetrators, and other Canadians to meet one another. Several indicated that a lack of opportunity to understand *why* the abuses were perpetrated and the opportunity to engage in one-on-one dialogue or forgiveness are obstacles on their journey toward

reconciliation. A number of respondents commented that the mandate of the TRC was not broad enough and that the focus on residential schools ignored many of the historical and on-going structural effects of colonialism and historical trauma. One respondent asked, “Is the TRC blind to the issues we face on/off reserve?”

Conclusions

The meaning of reconciliation

From data examined, that participants surveyed in the first TRC National Event had difficulty defining reconciliation, and when they did so, they defined it in a variety of ways. However, some points readily stand out. Having the “truth” of residential schools be known and understood was closely linked or synonymous with reconciliation in the minds of many respondents, as was a concern for “healing.” Future research could examine more closely the meanings attached to “reconciliation” and to “healing” in the context of residential schools. It is also possible that in some Aboriginal cultural contexts in Canada, there is little differentiation between these two concepts.

In addition, future research could attempt to assess whether participation in the various components of the Settlement Agreement is related to perceptions of healing and reconciliation.

Noteworthy in these findings is the fact that the respondents saw reconciliation as being equally important at all levels of society, and also did not make major distinctions in the likelihood of reconciliation at personal, community, or national levels. If anything, national political reconciliation was seen as less likely than personal or community reconciliation.

Respondents frequently spoke of reconciliation in terms of a journey or on-going process. The fact that effects of residential school experiences often are intertwined with other elements such as poverty, substandard housing, and the reserve system, makes any discussion of reconciliation very complex (see for example, Rice and Snyder, 2008). Nevertheless, some respondents, especially a portion of those who had attended residential schools, emphasized the importance of some type of dialogue, or the active participation of those responsible for the hardships and abuses they experience, if full reconciliation is to take place.

Implications for the Canadian TRC

The Truth and Reconciliation Commission of Canada, like several others bodies that have carried the TRC moniker, has thus far devoted its resources and activities more toward truth than toward reconciliation. The Commission could perhaps make a significant contribution by exploring more publicly the meaning of reconciliation, and specifically how it will attempt to foster reconciliation.

Llewellyn emphasized "relational" or social truth—truth that emerges with nuance and complexity through dialogue and interaction, and called for the TRC to sponsor events that "create space where the parties involved can encounter one another and where truths can be told, relational truth can emerge, and the journey toward reconciliation can begin" (2008:196). To make progress on establishing this type of truth will require more engagement of broader sectors of society and with those involved in operating the residential schools than what is apparent to date in the TRC activities. [2]

However, consistent with the comments given by respondents about the importance of healing, the Canadian TRC is oriented toward fostering both individual and communal healing through providing opportunities for individual expression of experience, though prominent use of cultural resources, and through drumming, music, prayers, and for forms of spirituality. In many ways, it appears that the most appropriate description for this commission would be the "truth and healing commission."

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[2] There is a recent campaign for "1000 Conversations Across Canada on Reconciliation" http://1000conversations.ca/?page_id=30. As of April 27, 2011, the web site recorded 24 completed or schedule events.

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