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16 Reconciliation, Colonization, and Climate Futures

DEBORAH MCGREGOR

Indigenous peoples, often among the world's most marginalized and impoverished peoples, will bear the brunt of the catastrophe of climate change.¹

To the Commission, reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, acknowledgement of the harm that has been incited, atonement for the causes, and action to change behaviour.²

It is my argument that any climate change policy that is put forward internationally (Paris Climate Agreement), nationally (Pan-Canadian Framework on Clean Growth and Climate Change), or provincially (Ontario's Climate Change Action Plan) must consider the rights and interests of Indigenous peoples as well as historical and ongoing processes of colonization. It is recognized, internationally and in Canada, that Indigenous peoples are more vulnerable to the impacts of climate change than other peoples due to distinct connections to the natural world.³ As noted in the above quote, due to historical imperial and colonializing forces, Indigenous peoples "are among the poorest of the poor, and thus the most threatened segment of the world's population in terms of social, economic, and environmental vulnerability."⁴ In Canada, the situation is similar, as Indigenous peoples are confronted with disparities and disadvantages in every conceivable indicator of well-being.⁵ Climate change will exacerbate these challenges as Indigenous peoples continue to seek justice in their relationships with dominant, broader society.

Recently, Assembly of First Nations regional chief Bill Erasmus emphasized in regards to climate change the vital need to

... respect and take into account traditional knowledge when scientific measures are being used, recognize Indigenous Peoples' authority in their own homelands and territories when it comes to climate change. Including recognition of Indigenous rights on climate change initiatives is crucial, said Erasmus, because Indigenous Peoples tend to be the most vulnerable to the rapidly-changing climate. *We are most hit by what happens immediately to the land.*⁶

In Canada, key policy initiatives regarding Indigenous peoples have arisen over the past fifty years from the following undertakings:

- the Hawthorne report (1966–67);
- the *Statement of the Government of Canada on Indian Policy* (commonly referred to as the 1969 “White Paper”);
- the Royal Commission on Aboriginal Peoples (1996);
- the Ipperwash Inquiry (2007);
- the Truth and Reconciliation Commission (2015); and
- the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) adoption by the Government of Canada in 2016.

As is discussed below, the earlier of these policy initiatives focused on continuing the process of colonization, i.e., “getting rid of the Indian,”⁷ so that dominant Canadian society could have unfettered access to the lands and resources encompassed by the traditional territories of Indigenous peoples. While the more recent initiatives have begun to expose the injustice of this approach, no policy, either climate-based or otherwise, is going to be successful in the long run if it does not result in genuine restructuring and transformation of contemporary relationships between the state and Indigenous peoples.

It is for this reason that I suggest that current climate policy in Canada does not address in any substantial way the concerns and interests of Indigenous peoples. Canadian government policy continues to undermine Indigenous peoples in terms of sovereignty, authority, jurisdiction, and application of Indigenous laws in relation to the land. This has not changed substantially over the past fifty (and more) years, nor does it look set to do so over the next fifty years. Again, the underlying challenge comes down to the centuries-old conflict around control over

land.⁸ Colonial and later Canadian policies, laws, and practices have denied Indigenous peoples sovereignty over their lands, and the climate change agenda has not sought to resolve this issue. Canada continues to rely on the exploitation of Indigenous lands and resources in order to advance its own national interests.

The Last Fifty Years of Indigenous Public Policy

In 2017, exactly 150 years after Confederation, we see clearly that “Land” remains central to the prosperity of Canada. This same land has been under Indigenous authority and jurisdiction since time immemorial. To obtain the lands of Indigenous peoples, colonial and later Canadian governments sought to “get rid of” Indigenous peoples from the lands they inhabit.⁹ A variety of strategies has aimed directly or indirectly at achieving this, including undermining and eradicating traditional systems of government, as well as actually dispossessing Indigenous nations of their lands and territories. The Truth and Reconciliation Commission found that:

The Canadian government pursued this policy of cultural genocide because it wished to divest itself of its legal and financial obligations to Aboriginal people and gain control over their land and resources. If every Aboriginal person were “absorbed into the body politic,” there would be no reserves, no Treaties, and no Aboriginal rights.¹⁰

By 1967, this logic was already firmly entrenched through well-established laws, agreements, policies, and practices. In the 1960s, discourse on human rights began to influence public policy, and in response, Canada commissioned anthropologist Harry Hawthorn to conduct a comprehensive national study of the situation of “Indians” in Canada in 1963. Hawthorn released two volumes of his study, one in 1966 and the other a year later, under the title *A Survey of the Contemporary Indians of Canada: Economic, Political, Educational Needs, and Policies*. A century after Confederation, many Canadians thus learned for the first time of the appalling conditions in which Indigenous peoples across Canada were forced to live. The study offered hundreds of recommendations for improvement, particularly in the areas of health and education. Despite this, however, its principal focus remained true to the overriding government policy of assimilation.¹¹

In 1969, Prime Minister Pierre Elliott Trudeau, through the *Statement of the Government of Canada on Indian Policy* (commonly referred to as the “White Paper”), again put forth an aggressive assimilation policy to eliminate the Indians, their lands, and treaties. The stated intention of the policy was “the remaking of Indians into ‘Canadians as all other Canadians.’”¹² Widely opposed by Indigenous peoples, this particular policy was eventually abandoned, yet the conflicts over sovereignty and lands persist.

Established in 1991, the Royal Commission on Aboriginal Peoples (RCAP) released its final report and concluded in no uncertain terms that “*The main policy direction, pursued for more than 150 years, first by colonial then by Canadian governments, has been wrong.*”¹³ RCAP called for a fundamental change in the social and political order of Indigenous/non-Indigenous relations, namely the revitalization of coexistence and “Nation-to-Nation” relationships. Over 400 recommendations were presented to assist in making this change a reality, the majority of which unfortunately remain unaddressed.

The 2007 Ipperwash Inquiry explicitly recognized the importance of land to Indigenous peoples:

The immediate catalyst for major occupations and protests is a dispute over a land claim, a burial site, resource development, or harvesting, hunting, and fishing rights. The fundamental conflict, however, is *usually about land*. Contemporary Aboriginal occupations and conflicts should therefore be seen as part of the centuries-old tension between Aboriginal Peoples and non-Aboriginal people over the control, use and ownership of land.¹⁴

Nearly two decades later, the 2015 Report of the Truth and Reconciliation Commission (TRC) revealed similar findings. The TRC confirms that the basis for the acrimonious nature of the relationship between Indigenous and non-Indigenous peoples has been the goal of the Canadian State to eradicate Indigenous peoples in order to obtain their lands.

RCAP, the TRC, and UNDRIP have all called for a reckoning with this past and a move towards a future of reconciliation, coexistence, and self-determination. As a further step towards this, the Government of Canada committed to fully supporting UNDRIP and implementing its provisions.¹⁵ This is a position consistent with the “Calls to Action” outlined by the TRC, and is explicitly stated as its “Principle One,” which reads: “*The United Nations Declaration on the Rights of Indigenous Peoples*

is the framework for reconciliation at all levels and across all sectors of Canadian society.”¹⁶ In 2017, the Government of Canada released the *Principles Respecting the Government of Canada’s Relationships with Indigenous Peoples*, which outlines ten principles to guide the development of “renewed relationship.”¹⁷

Whatever the case, the fact remains that if environmental and/or climate policy does not address the fact that the interests and concerns of Indigenous peoples are rooted in a colonial history, they risk further entrenching an ongoing colonial legacy that alienates Indigenous peoples from their lands and livelihood. Within this situation then, what can reconciliation offer as it is conceptualized by Indigenous peoples?

The Role of Reconciliation

The TRC defines “reconciliation” as:

... an ongoing process of establishing and maintaining respectful relationships. A critical part of this process involves repairing damaged trust by making apologies, providing individual and collective reparations, and following through with concrete actions that demonstrate real societal change. Establishing respectful relationships also requires the revitalization of Indigenous law and legal traditions.¹⁸

Reconciliation must be an ongoing process, because as John Borrows declares, “Colonialism is not only a historic practice, it continues to be acted upon and reinvented in old and new forms to the detriment of Indigenous Peoples.”¹⁹ Furthermore, it will be critically important to privilege Indigenous conceptions of reconciliation based on Indigenous legal traditions, knowledges, protocols, and practices. It is not appropriate to rely on state-conceived and sponsored frameworks of reconciliation as these processes may well be to our collective detriment. This is particularly true as such processes do not adequately address the land issue, nor do they reflect Indigenous concepts of reconciliation, which see the land/natural world as critical agents in any meaningful reconciliation undertaking. Concepts of reconciliation, especially if they are to be applied to environmental policy, must be expanded upon to reflect Indigenous peoples’ understanding. Reconciliation applies not only to reconciliation between peoples. As Mi’kmaq Elder Stephen Augustine suggests, “Other dimensions of human experience – our relationships

with the earth and all living beings – are also relevant in working towards reconciliation.”²⁰ These sentiments are also captured in the words shared by Elder Reg Crowshoe as he explains:

Reconciliation requires talking, but our conversations must be broader than Canada’s conventional approaches. Reconciliation between Aboriginal and non-Aboriginal Canadians, from an Aboriginal perspective, also *requires Reconciliation with the natural world. If human beings resolve problems between themselves but continue to destroy the natural world, then reconciliation remains incomplete.*²¹

In other words, we must reconcile with the Earth, not just with each other, or reconciliation remains incomplete and our collective future uncertain. These concepts then become the criteria (or tests) for whether environmental and climate policies will actually resolve the challenges they seek to address.

Reconciliation, Environment, and Climate Change: Future Challenges

Reconciliation must support Aboriginal peoples as they heal from the destructive legacies of colonization that have wreaked such havoc in their lives. But it must do even more. Reconciliation must inspire Aboriginal and non-Aboriginal peoples to transform Canadian society so that our children and grandchildren can live together in dignity, peace, and prosperity on these lands we now share.²²

Reconciliation has not been identified as an outcome of environmental or climate change policy in Canada – yet it should be! Reconciliation based on Indigenous legal traditions, governance, and knowledge systems offers an alternative to environmental regulatory reform currently under review by the Government of Canada.²³ It also seeks to explicitly address ongoing colonialism in order to move to a just future that includes not only peace between peoples, but with the natural world as well. Conceptions of reconciliation in climate and environmental policy and regulatory regimes must:

- 1 Recognize and address ongoing colonialism that continues to alienate Indigenous peoples from their lands/waters and creates the conditions for climate change vulnerability;

- 2 Extend the conceptions of reconciliation to include the natural world; and
- 3 Engage with Indigenous legal and intellectual traditions to derive environmental/climate change policy/approaches.

As the TRC asserts, “Aboriginal peoples’ cultural revitalization and integrating Indigenous knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential.”²⁴ To the extent that Canadian reconciliation policies fail to incorporate these essential components, they will continue to fail Indigenous peoples and the natural world. To date, the outcomes of the environmental review process and current climate policies (at all levels in Canada) are disappointing in this regard.²⁵

Indigenous conceptions of reconciliation based on Indigenous legal systems and knowledge have much to offer the future sustainability of Canada and should be given the utmost respect in environmental and climate deliberations. Reconciliation, if it is to achieve its stated goals, must not only be concerned with healing relationships among peoples, but also with the land itself, and must occur at a societal level to be truly transformative and secure a sustainable future.²⁶

NOTES

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