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MPC MAJOR RESEARCH PAPER

Closing the chapter: A case study of government communications preceding the 2008 apology to residential school survivors

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## Abstract

This research examines the Government of Canada's changing discourse in relation to the apology to residential school survivors in the two-year period leading to the apology, during which time the Conservative Government of Canada was in power. A combination of critical discourse analysis and grounded theory was used to analyze six key documents or statements related to the apology created from 2006 to 2008. This research seeks to identify themes in the discourse and consistencies throughout the two-year time period, despite the vastly changing discourse. Findings reveal that themes present in the discourse leading up to the residential school apology are mostly consistent with those found in apology literature. Findings also reveal that the concept of "closing the issue" was consistent throughout the discourse, despite the Government of Canada's apparent shift in stance on this issue.

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## Introduction

In 2008, the Government of Canada apologized to the survivors and families of federally funded, church-run residential schools in operation from 1879 to 1986 (Milloy, 1999). Aboriginal children all across Canada were forced to attend these schools, were removed from their families and cultures, and many were abused emotionally, physically, and sexually (Milloy, 1999). Countless children died or disappeared, and the legacy of the residential school system can still be felt today (Milloy, 1999). For years, First Nations people called on the Government of Canada to provide an apology to the survivors of residential schools (A long-awaited apology, n.d.; Anderson, 2012; Jung, 2009). In 1996, the Minister for Aboriginal Affairs and Northern Development presented a “Statement of Reconciliation,” but it was seen by many as inappropriate and insufficient given the gravity of the situation. In the two years that the Conservative government held power after the 2006 election, their position on the residential school apology changed from originally denying an apology to eventually deciding to provide an apology to survivors (A long-awaited apology, n.d; James, 2008; House of Commons Debates, 2007). In 2008, after considerable debate and resistance, the Government of Canada under the leadership of Prime Minister Stephen Harper apologized to the victims of the residential school system (A long-awaited apology, n.d; Harper, 2008; Jung; 2009). Noting the struggle to realize the apology is very important in this case and the initial refusal to apologize should be considered as a significant part of the dialogue surrounding the residential school apology.

This research seeks to explore the themes and consistencies that persist in the discussions in the House of Commons from 2006 to 2008 surrounding a potential

apology to the survivors of Canadian residential schools. I will be considering the debates and statements that led up to the apology and asking why it was this government at this time that finally provided an apology to residential school survivors. I will be considering this in light of the fact that the Canadian government led by Stephen Harper made several moves prior to this that were in direct conflict with First Nations goals and initiatives, including the cancellation of the Kelowna Accord and the refusal to ratify the United Nations Declaration on the Rights of Indigenous Peoples (DiNova, personal communication, 2013; Dorrell, 2009; Freedman, personal communication, 2013; Jung; 2009). As well, it was unusual to see this government embrace such a momentous communications effort as the Harper Government is widely considered to be one of the least communicative government in recent years (Blackwell, et al., 2011; Dobbin, 2010).

I will examine the mounting pressures that led this government to finally apologize and I will contemplate other motivators and deterrents to providing an official apology, as evidenced in the discourse. I will consider literature that has studied the recent trend of political apology and use this literature as a framework to examine the context of the apology to residential school survivors (Edwards, 2010; Gibney et al, 2008; Harris, Grainger & Mullany, 2006; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010). I will also examine government documents that may help to fill in gaps in the literature and create a more holistic picture of the residential school apology. I hope that by analyzing the content of readily available statements in the House of Commons and to the media, key themes will emerge that either complement or contrast with existing literature and that this linguistic analysis will help to provide a better understanding of the apparent shift in position with respect to providing this apology. The

information revealed by documents obtained via Access to Information requests will help provide a better understanding of the circumstance surrounding these statements through a comprehension of the internal processes at the time these statements were made.

## Research Questions

A review of earlier literature on political apologies has revealed two research questions that have yet to be addressed:

- 1) How do the themes that emerge from an analysis of key residential school apology documents relate to the literature on political apologies?
- 2) In the two-year period surrounding the discussion of a residential school apology, the Conservative government appeared to change their position dramatically from refusing to apologize to embracing an apology; were there any consistencies in language used throughout this discussion that belie the government's apparent shift in position?

## Literature Review

In recent years, the study of public apologies has become more prevalent than ever before, as apologies for injustices are increasingly demanded by the public and provided by offending corporations, governments, and individuals (Edwards, 2010; Gibney et al, 2008; Harris, Grainger & Mullany, 2006; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010; Thompson, 2008). Not surprisingly then, there is a significant amount of research available that relates to the topic of the Canadian government's apology to residential school survivors specifically, as well as broader apology literature. This literature review will examine some of the most prevalent themes that have emerged in scholarly studies of the apology to residential school survivors including, apologies as a trend (Edwards, 2010; Gibney et al, 2008; Harris, Grainger & Mullany, 2006; Hearit, 2006; James, 2008; Jung, 2009; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010; Thompson, 2008); perceived motivators as to why governments apologize, with considerable focus on controversy as a driver of political action (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Bilder, 2008; Curry, 2007; Edwards, 2010; Freeman, 2008; Harris, Grainer & Mullany, 2006; Nobles, 2008; Thompson, 2008; Tyler, 1997); and possible motivators as to why governments refuse to apologize (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Dorrell, 2009; Greenberg, 2012; Harris, Grainger & Mullany, 2006; Murphy, 2011; Nobles, 2008).

### *Apologies as a Trend*

A considerable amount of available literature on the topics of public and political apologies concerns the shift from the long-standing reluctance to apologize to what



scholars are now calling “the age of apology” (Edwards, 2010; Gibney et al, 2008; Greenberg; 2012; Kampf; 2008; Koesten & Rowland, 2004; Murphy, 2010; Nobles, 2008). The age of apology is roughly thought to have started in the 1990s and persists to this day, with both governments and corporations increasingly providing apologies to a public that is increasingly demanding them (Edwards, 2010; Koesten & Rowland, 2004). In fact, many argue that apology has become the new standard and that this is especially true for nations apologizing for a historic wrongdoing that the current government cannot be held directly responsible for (Gibney et al, 2008, Front Cover; Thompson, 2008). While the trend of public apologies has been established in both corporate and governmental organizations, this paper will focus on government apologies. Despite many similarities between corporate and governmental apologies and the factors leading to these apologies, there are many differences as well. Government apologies are more often provided after a significant time period has passed, often for a historical injustice that was not committed by the current government, and a government usually provides these apologies not for themselves, but on behalf of the country (Hearit, 2006). For the Government of Canada, the process to provide an apology to the survivors of the Canadian residential school system could be argued to have begun around the same time that the age of apology was ushered in, during the 1990s (Edwards, 2010; James, 2008; Jung, 2009; Koesten & Rowland, 2004). Koesten and Rowland quote Roy Brookes (1999) in describing the apology phenomenon as “a matrix of guilt and mourning, atonement and national revival,” and the same could be said for the residential school apology (2004, p. 89).

### *Motivators for government apologies*

Whether an apology is altruistic or part of a larger agenda, the literature surrounding political apologies often considers the complex nature of the decision to apologize for governments attempting to reconcile with historical atrocities (Bavelas, 2012; Bilder, 2008; Edwards, 2010; Freeman, 2008; Murphy, 2001; Nobles, 2008; Thompson, 2008). While there are several deterrents for governments and organizations facing the decision to apologize, there are clearly benefits as well, as is evidenced by the persistence of the apology trend (Edwards, 2010; Gibney et al, 2008; Greenberg; 2012; Kampf; 2008; Koesten & Rowland, 2004; Murphy, 2010; Nobles, 2008). The broad theme of perceived motivations for governments to apologize draws from a host of literature that examines the question of why governments apologize.

Considering the motivating factors that lead to political apologies has split scholars in this field to some degree. There are those that view apologies as a recognition of a historical wrong, which governments are now choosing to right, and those who see apologies as a tool, and following realist theory, suggest that governments will not apologize unless it is in their best interest (Bilder, 2008; Chalkley, 2009; Edwards, 2010; Freeman, 2008; Harris, Grainger & Mullany, 2006; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010; Nobles; 2008).

Focusing on more positive motivations, scholars such as Melissa Nobles have suggested that apologies can come about as a result of ideological support and efforts to advance minority rights, though not often without limitations (2008). Several other authors bring up personal motivations, the desire to convey remorse, and efforts to improve the lives of future members of the aggrieved minority as motivations for official

apologies (Bavelas, 2004; Bilder, 2008; Murphy, 2011). Overall, many authors who study political apologies view governments motivations very positively, inferring through analysis of rhetoric used that political apologies primarily have the audience's best interest at heart (Edwards, 2010; Koesten & Rowland, 2004). Indeed, in *The Rhetoric of Atonement*, Joy Koesten and Robert C. Rowlands come to this conclusion by taking the stance that the purpose of the Canadian apology to residential school survivors was solely to "repair relationships," supported by what the authors suggest is a rhetoric that accepts blame rather than the self-serving rhetoric of "apologia" (Koesten & Rowland, 2004). It is important to note that many of the scholars arguing that positive and altruistic motivations were the basis for political apologies make these assertions based primarily on analysis of the language used in these apologies (Edwards, 2010; Koesten & Rowland, 2004). While language analysis can provide a deeper understanding of perceived motivations leading to a government's apology, the trend of political apologies has also provided something of a blueprint for organizations and governments planning to apologize, through both precedent and resulting research. This being said, I would argue that one must look beyond the polished government rhetoric that can be found in political apologies in order to consider motivating factors to provide these apologies. Literature that only considers the language used at the time that an apology is provided does not look past the government's intended understanding of the message to what may be motivating that message. It is in the best interest of governments to have their apologies perceived as genuine, because whether it is sincere or a tool for a larger end goal, it is a communications effort that will be heavily scrutinized and may be rejected or accepted on the basis of perceived sincerity (Hearit, 2006).

Taking the oppositional view, realist theory suggests that governments will only apologize if it is in their best self-interest, such as in cases where it can improve image or court votes from a particular group (Freeman, 2008). Scholars list a variety of reasons that apologies may be in a government's best interest, aside from how an apology is best for the aggrieved group and the country as a whole (Murphy, 2011; Harris, Grainer & Mullany, 2006; Koesten & Rowlands, 2004). Improving the country's image as well as the image of the government in power is an often-noted reason for political apologies, especially when governments are apologizing for a historical atrocity for which blame cannot be ascribed to the current government (Gibney et al. 2008; Harris, Grainer & Mullany, 2006; Hearit, 2006; Kampf, 2008; Koesten & Rowlands, 2004). Michael Murphy also adds the possibility of official apologies as "exercises in the politics of distraction, designed to ease pressures for policy reforms on substantive issues such as land and resource redistribution and political empowerment" (2011, p. 64).

One of the more popular themes present in the literature surrounding motivators to apologize is that which considers controversy as a driver of political action (Harris, Grainger & Mullany, 2006). Many authors have noted that a demand from vocal stakeholders can be an important influence on a government or organization's decision to apologize (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Dorrell, 2009; Greenberg, 2012; Harris, Grainger & Mullany, 2006; Murphy, 2011; Nobles, 2008). To this same end authors Craig W. Blatz, Karina Shumann and Michael Ross point to the example of the "Government of Alberta's 'spontaneous' apology to the victims of forcible sterilization of former mental patients, which was only offered after many had successfully sued" (2009, p.236). Apologies provided as a response to perceived demand seem to be more

the norm than apologies provided without some sort of controversy or legal action (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Dorrell, 2009; Greenberg, 2012; Harris, Grainger & Mullany, 2006; Murphy, 2011; Nobles, 2008). That fact, as noted in the literature, serves to further refute the notion that apologies are provided solely for the purpose of repairing relationships and “doing the right thing.” Many of the authors citing the Canadian apology to residential school survivors suggest that the “negative reaction” to the Conservative government’s initial refusal to apologize to residential school survivors was the reason that the apology was eventually provided (Blatz, Schumann & Ross, 2009).

Several authors also discuss the international pressure countries face when confronted with a demand for an apology, especially when other countries have already apologized for similar injustices (Bilder, 2008; Dorrell, 2009; Greenberg, 2012). Barbara Greenburg cites this trend as a potential influencing factor in the Canadian government’s 2008 apology to residential school survivors by noting that the apology from the Canadian government “came just five months after Australian Prime Minister Paul Rudd’s apology to the Aborigines and the ‘Stolen Generations (2012, p.142).’” Considering this fact, Greenberg suggests “it could be argued that Harper’s apology helped keep Canada’s place within the international community on par with other countries by offering this very public apology” (2012, p. 142). While that is likely true, even if international pressure is felt to provide a political apology it would be unlikely that governments would readily admit to feeling said pressure, given that this would likely downplay the value of an apology should the audience feel that it was not given freely (Chalkley, 2009; Thompson, 2008). While Prime Minister Harper did cite several

individuals that helped influence the decision to apologize, even taking the rare step of reaching across party lines to thank the leader of the New Democratic party for his input, no international influence was cited by the Canadian government as contributing to their decision to apologize, making this a difficult motivation for scholars to prove (Dorrell, 2009; Greenberg, 2012).

With more apologies being offered by governments today than ever before, the pressures to conform with this ethical discursive standard can also occur within a nation when a government has apologized to one aggrieved group and ignored another (Indian residential schools resolution, 2007, Miyagawa, 2009). This pressure was apparent in the case of the Canadian residential school apology, when officials were questioned about previous apologies provided by the same Conservative government to different groups (Indian residential schools resolution, 2007). This is a consideration for governments that is fairly new given the recent favor that apologies have found, and this is likely a reason that a slight gap exists in this area of literature on political apologies. While there are several scholars that note the pressure placed on the Canadian government to apologize following Australia's apology to the Aborigines and the "Stolen Generations," there was little discussion of pressure in relation to domestic apologies is evident in the literature (Bilder, 2008; Dorrell, 2009; Greenberg, 2012). This apparent gap is particularly interesting given that other apologies provided by the Conservative government, such as the Chinese Head Tax apology and the apology to Maher Arar, were raised by First Nations people and the media when calling on the government to apologize to residential school survivors (Indian residential schools resolution, 2007). As national apologies are becoming more common, especially in countries like Canada, and nations begin to

increasingly apologize to multiple groups that have been historically wronged, the pressure within countries to provide apologies equally would be an interesting area for further study (Miyagawa, 2009).

Finally, another strong motivator to apologize that is notable, not only in the literature but also in the documents for analysis used in this paper, is the desire to move on from the issue at hand (Bavelas, 2004; Bilder, 2008; Dorrell, 2009; Greenberg, 2012, Miyagawa, 2009). Given that apologies usually stem from controversy and can lead to criticism of the government, particularly if the requesting group is insulted by a refusal to apologize, the desire to close the issue has been suggested as a strong motivator to provide an apology (Bavelas, 2004; Dorrell, 2009; Harris, Grainger & Mullany, 2006; Miyagawa, 2009). Janet Bavelas notes that an apology acts as an apparent “settling of debts,” allowing perpetrators to move on after an apology has been provided (2004). In the context of the residential school reconciliation process, much about its progression seemed to follow this theme, with many of the statements leading up to the apology suggesting the desire to close the issue of residential school legacy. Some of the literature considering the apology to residential school survivors has recognized the notion of closing the issue in the actual apology statement, yet little has been written on this theme in preceding communications (Dorrell, 2009; Greenberg, 2012; Miyagawa, 2009). Interestingly, the theme of closing the issue is also rarely mentioned outside of the Canadian context and this would be a noteworthy area for further research.

This use of official apologies as an attempt to close the discussion about historical injustices is unlikely the goal that survivors would hope for; however, most of the literature on this topic is still in favor of official apologies for historical injustices

(Bavelas, 2004; Bilder, 2008; Dorrell, 2009; Greenberg, 2012, Harris, Grainger & Mullany, 2006; Murphy, 2011). As Murphy notes, despite the motives, apologies draw attention to historical and even present injustices and help to educate a public on their whole history and the people that are a part of it (2011).



### *Deterrents to government apologies*

Despite the increasing trend of providing official apologies to the public, scholars have noted that apologies are still not always realized where they would be seen as fitting or when they are, there is often significant controversy and time passed before an apology is provided (Bavelas, 2004; Harris, Grainger & Mullany, 2006; Hearit, 2006; Kampf, 2009).

Apologizing for historical injustices is obviously a sensitive matter and a number of sources on this topic identify several reasons why governments refuse to apologize to historically wronged groups, including the belief that it has nothing to apologize for, the claim that it is too late to respond to a certain historical injustice, the concern that an apology may lend support to a cause that the government opposes, the belief that an apology may damage the countries reputation or simply that it will not be politically damaging to refuse an apology (Bavelas, 2004; Bilder, 2008; Blatz, Schumann & Ross, 2009). In situations similar to that of the Canadian government's, where the majority supports an apology yet the government is still unwilling to provide one, there are also sometimes events in which the government will attempt to downplay the need for an apology (Bilder, 2008; Nobles, 2008). As noted in the literature and as evident in the Canadian government's refusal to apologize to residential school survivors, the tactics of downplaying the degree of harm, refocusing on other reconciliation attempts and suggesting a need to concentrate on other pressing concerns are all ways that governments avoid refusing to apologize outright (Blatz, Schumann & Ross, 2009; Murphy, 2011). Little research has discussed the success of these tactics and it would conceivably vary greatly depending on the situation. That being said, these tactics all

appeared to be unsuccessful for the Canadian government, as the pressure to apologize was not alleviated by these responses (Indian residential schools resolution, 2007).

While pressure from stakeholders was clearly noted as a motivating factor for governments and organizations to publically apologize, pressure from outside stakeholders can also serve as a deterrent for official apologies (Bilder, 2008; Blatz, Schumann & Ross, 2009). Most researchers on the subject of apologies can likely cite personal experience with individuals who are opposed to apologies from their government, for a wide variety of reasons. In *The Pragmatics of Political Apologies*, the authors mention that political apologies often “rise out of discourse struggle & generate further struggle and controversy” (Harris, Grainger & Mullany, 2006, p. 733).

Governments may find themselves in the unfortunate position of trying to appease a group calling for an apology and at the same time faced with a group of the voting public that opposes the concept of an apology for various reasons (Bilder, 2008; Harris, Grainger & Mullany, 2006; Blatz, Schumann & Ross, 2009). However, despite the potential for pushback from groups opposed to official apologies, for whatever reasons, controversy stemming from a refusal to apologize is still one of the most apparent and often-cited reasons that governments and organizations choose to realize official apologies (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Bilder, 2008; Dorrell, 2009; Greenberg, 2012; Harris, Grainger & Mullany, 2006; Murphy, 2011; Nobles, 2008).

Though scholars have noted various reasons why governments refuse to apologize to aggrieved groups for historical injustices, most agree that legal liability is one of the most significant barriers to public apologies (Bilder, 2008; Bavelas, 2004; Harris, Grainger & Mullany, 2006; Thompson, 2008; Tyler, 1997). It is widely understood that “our

present legal system discourages apologies,” for the simple fact that an apology implies guilt and accepting that guilt can have serious legal repercussions (Tyler, 1997, p. 51). The result of this constraining legal liability is that an organization will often not provide an apology where necessary or will instead provide an apology that at the same time does not take responsibility and thus attempts to avoid legal liability (Bavelas, 2004). While not providing an apology can have many repercussions as previously noted, attempting to provide what some scholars refer to as a “quasi-apology” can help to alleviate legal concerns, but also fails to conform to the standard for a proper apology, which requires the apologizer to take responsibility for the wrong committed (Bavelas, 2004; James, 2008). This can lead to the outright rejection of an apology, creating further controversy and failing to “close the issue,” where this is a consideration (Bavelas, 2004). The Canadian government experienced the dissatisfaction that these quasi-apologies can produce after issuing their own “statement of reconciliation” in 1996 to the survivors of abuse in residential schools, which was widely seen to be insufficient (Bavelas, 2004; James, 2008). Legal liability as a deterrent to apologies can be difficult to recognize by the general public, as it is not something that governments are always willing to discuss as a barrier. Legal repercussions were even suggested in the media as a potential reason that the Canadian government was originally withholding an apology to residential school survivors (Curry, 2007). While it was denied as a factor at the time, information uncovered through access to information requests indicates that legal liability was in fact a constraint for the Canadian government. Why governments are often unwilling to discuss legal constraints is beyond the scope of this literature review, but given other considerations discussed here, such as image improvement and outside pressure, the

admittance of trying to avoid being sued by those that may very well be entitled to compensation would not be advisable given the potential for negative reaction from the public.

Overall, while all of these barriers to political apologies may make them more difficult to realize and controversial for a government faced with a demand for apology, the growing trend of public apologies, the various sources of outside pressure and the positive effect apologies can have on a countries and government's image seem to outweigh the potential consequences in many cases. Consistent in the existing literature on the topic of political apologies is the recognition of the growing trend of this type of public speech act (Edwards, 2010; Gibney et al, 2008; Harris, Grainger & Mullany, 2006; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010; Thompson, 2008). With this increased occurrence came a variety of literature seeking to understand these apologies and why governments choose to realize or deny them. Certain deterrents and motivators were particularly important, including legal liability as a deterrent, pressure from vocal stakeholders on both sides of the debate, and the oppositional motivators of wanting to either close the issue or do what is right for a historically wronged group (Bavelas, 2004; Blatz, Schumann & Ross, 2009; Bilder, 2008; Curry, 2007; Dorrell, 2009; Edwards, 2010; Freeman, 2008; Greenberg, 2012; Harris, Grainer & Mullany, 2006; Murphy, 2011; Nobles, 2008; Thompson, 2008; Tyler, 1997). While the apology to the survivors of Canadian residential schools was frequently cited in the literature on this topic, there has not yet been an examination of preceding communications materials from the Government of Canada, and as such my research will be a useful addition to this field.

## Theoretical Orientation

Norman Fairclough's critical discourse analysis (CDA) is the approach to both theory and methodology for this Major Research Paper (MRP). This dual use is fitting when working with CDA as Fairclough "uses it both to describe the approach that he has developed and as the label for a broader movement within discourse analysis of which several approaches, including his own, are part" (Jørgensen & Phillips, 2002, p.60). CDA is concerned with power structures and struggles and how those can be both expressed through discourse and reinforced through discourse (Fairclough, 2001). I will be drawing on Fairclough's (2001) book, *Language and Power*, as well the textbook *Discourse Analysis as a Theory and a Method* by Marianne Jørgensen and Louise J. Phillips (2002), to ground my analysis of the governmental discourse preceding the residential school apology. Within the scope of this paper, I am particularly interested in the "reproduction of unequal power relations" throughout the changing discourse surrounding the residential school apology (Anderson, 2012, p.574). The discourse I am studying is presented by the highest level of power in the country, the Government of Canada, and is aimed at an audience that has historically been stripped of much of their power at the hands of that same government. By seeking to understand the power struggle and inequality present in the discourse surrounding the residential school apology, one can better seek to understand the themes and consistencies in this discourse, even if the message appears to change. Given that CDA promotes looking beyond the most apparent interpretation of a situation or statement, I feel that it is an appropriate orientation to help navigate the polished and often cumbersome government discourse that I will be analyzing (Fairclough, 2001). It should be noted that Fairclough (2001) advocates for an

application of critical discourse analysis to include surrounding discursive events, rather than being solely text based, but in the interest of limiting the scope of this paper, I will be primarily applying the principles of CDA to texts and reprinted statements.

## Methodology

Research for this project involved a document analysis using a combination of grounded theory and critical discourse analysis of federal government documents. I will be accessing primary documents made available to the public from the Government of Canada on their website. I will be focusing on text-based research methods rather than human research subjects, as the topic I have chosen has a strong potential to be emotionally traumatic to discuss for those directly affected by the residential school apology. As such, this project did not require Research Ethics Board approval.

The MRP includes a two-part analysis, beginning with a critical discourse analysis and followed by a thematic analysis. In total I examined six documents, two for the critical discourse analysis and all six using grounded theory. I also received 1200 pages of documents through an ATI request that were not formally analyzed, but were used to augment my discussion throughout. I arranged my documents into three time periods: Deny Apology, Apology Debate and Apologize.

Phase I of my analysis involved a critical discourse analysis of the March 27, 2007, Question Period with Minister Jim Prentice and the statement announcing the date for the residential school apology from Minister Chuck Strahl on May 15, 2008. These two documents provide an interesting contrast for analysis, as the government is arguing for two completely different approaches on the residential school apology from one year to the next. I will be drawing on Norman Fairclough's method of critical discourse analysis which links the discourse as presented in these texts with the power structures in society that shape that discourse (Fairclough, 2001). As government is an important power structure and the power dynamics at play in this situation are very one sided, I am

interested in analyzing the apparent switch in position, despite the likelihood that the Conservative government's ideology would not have changed dramatically in this time period.

For the thematic analysis using grounded theory all six documents were necessary to illustrate the shifting discussion around the residential school apology in the House of Commons from the time that Prime Minister Harper was sworn in on February 6, 2006, to the apology to residential school survivors on June 11, 2008. The documents I have analyzed in Phase II – Thematic Analysis are listed in the following table:



Table 1.

Date	Title	Description	Time Period
November 7, 2006	House of Commons debates	Hon. Gary Merasty requests apology in the House of Commons	Deny Apology
March 26, 2007	Post-Question Period media scrum	Hon. Jim Prentice, Minister of Aboriginal Affairs and Northern Development questioned about status of an apology	Deny Apology
March 27, 2007	Question Period	Hon. Jim Prentice indicates that an apology will not be forthcoming	Deny Apology
May 1, 2007	House of Commons debates	Conservative government indicates it will support the motion to apologize, must still be approved by Executive Council	Apology Debate
October 17, 2007	Speech from the Throne	The Right Honorable Michaëlle Jean announces that the government will apologize to the survivors of residential schools (no date set at this time)	Apologize
May 15, 2008	Statement – Minister Strahl Announces Date Set For Indian residential school apology	Statement announcing the date for the residential school apology is issued by the Minister of Aboriginal Affairs and Northern Development, Hon. Chuck Strahl	Apologize

Drawing on grounded theory, I will begin by looking for patterns and trends in this data set, assigning codes using the “open coding” method (Lindlof & Taylor, 2011). I have assigned codes on a per sentence basis and many of these sentences contained more than one code each. I then grouped these codes into larger categories based on commonalities such as intent and tactic.

Six categories emerged as follows:

- DENY MALICE – attempts to downplay or deny intentional wrongdoing that would warrant an apology.
- RECONCILIATION ATTEMPTS – comments about work and processes that have already been undertaken in an attempt to reconcile with the residential school legacy.
- STALLING/AVOIDANCE – discussion that shifts away from the topic of a potential apology from the Conservative government of Canada and refocuses on other matters instead, thus avoiding the subject of whether an apology would be provided and when.
- LEGAL LIABILITY – references to legal liability with regards to the residential school apology or the implied legal liability when discussing the opt-out period.
- CLOSE ISSUE – explicit mentions of “closing the issue” as well as synonyms and phrasing with similar meaning such as “dealing with” and “putting this time behind us.”
- METAPHORS – Any metaphors used throughout the discourse, primarily having to do with turning a page or beginning a new chapter.

Finally, in addition to these document sources, I have also completed several Access to Information requests from the Treasury Board of Canada Secretariat for communications documents used in planning and decision making with regards to the residential school apology. I submitted request forms to the following branches of the Federal Government and the respective privacy coordinators: Aboriginal Affairs and Northern Development Canada (AANDC), the Truth and Reconciliation Commission of Canada, and the Privy Council Office. Only the AANDC request was filled in time for the purpose of this MRP. From this department I received three disks with over 1200 pages of email correspondence and communications materials related to the residential school apology. The information from this ATI request provided context for some of the statements made by the government that otherwise might not be apparent to the general public.

### Research Limitations

While Access to Information requests to the Department of Aboriginal Affairs and Northern Development were very successful for the purpose of this MRP, four other requests submitted to the Federal Government through the ATI process failed to produce timely results. Two requests to the Truth and Reconciliation commission were not filled due to this department's own issues accessing information from the Federal Government (see Appendix E). Two requests were also made to the Privy Council office, and after the mandatory response time had lapsed I received two letters stating that, due to the nature of this request, the Federal Government would be taking an extension of 90 days for each request to "consult other government institutions" (see Appendix E). I plan to pursue these requests after the 90-day extension has been exceeded, but any information I receive will be after deadlines have passed for the completion of this project. However, this limitation in my research provides an opportunity for further research in the area of political apologies and background preparations and motivations. All ATI requests that are filled once should remain available to the public after the fact, making access to this information less onerous than it was during my collection.

### Analysis: Phase I - Critical Discourse Analysis

The use of critical discourse analysis for this MRP seeks to clarify the apparent shift in position by the Government of Canada through language choices and linguistic devices used while discussing the residential school apology. A textual analysis using the principles of CDA offers ‘insight into the ways in which texts... construct particular versions of reality, social identities and social relations’ (Jørgensen and Phillips, 2002, p.83). In this case, the overarching themes are often reinforced through discursive tactics used in statements and responses from the Government of Canada with regards to the apology to residential school survivors. A textual analysis of the two oppositional pieces of discourse from the Minister for Aboriginal Affairs and Northern Development<sup>1</sup>, first responding to inquires about the status of the proposed apology in Question Period on March 27, 2007, and second, announcing the date for the residential school apology on May 15, 2008, offers more insight into the messaging promoted by the government as can be seen in discourse elements found in these statements (see Appendix C)

The changing experiential value associated with the apology creates a very striking discursive shift that can be seen between the two documents analyzed here. Fairclough explains experiential value as “a formal feature with ... a trace of and a cue to the way in which the text producer’s experience of the natural or social world is represented” (2001, p.93). In several instances in the later piece we can see Minister Strahl conveying favour for the event, saying things like “I am pleased and very proud to announce that the Prime Minister... will make a statement of apology to former students of Indian residential schools ...” and “this will be a chapter that all Canadians can feel

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<sup>1</sup> Note that the Minister of Aboriginal Affairs and Northern Development Canada changed during the time period in question. Minister Jim Prentice, February 6, 2006 - August 14, 2007, Minister Chuck Strahl, August 14, 2007 - August 6, 2010

proud of.” Clearly in these examples, Minister Strahl and by extension the Government of Canada is experiencing the announcement of an apology as a positive step that they believe that most Canadians will support. *Certainty* is another feature that is prominent in this text, apparent when Minister Strahl closes this statement by saying that “This will be a chapter that all Canadians can feel proud of” (Fairclough, 2001). The expressive value of the use of the word *will* in this case conveys the message that the government is behind this decision with so much certainty because it is what they know Canadians want, without question (Fairclough, 2001). *Certainty* is expressed, as well when the Minister states, “the Prime Minister, the Right Honourable Stephen Harper, on behalf of the Federal Government and all Canadians, will make a statement of apology.” It is notable not because this is unexpected, the majority of Canadians were supportive of an apology, but because it is such a change from the discourse from the previous year when the Conservative Government was denying an apology to residential school survivors. Notable in the discourse from Question Period on March 27, 2007, is the lack of any mention of the proposed apology by Minister Prentice. The only time the Minister uses the word apology; the topic at hand in this case, is when he states that an apology was not a condition of the Settlement Agreement. In this case we see the Minister shifting the dialogue away from the question at hand and focusing not on what the Conservative government was not doing, but what the Liberal government had previously not done.

Another discursive choice worth noting that also took place during this shift in topic was the use of repetition to bolster the idea of Liberal government shortcomings and to divert attention from Conservative government shortcomings. In his first response to

the Liberal Member from Desnethé--Missinippi--Churchill River's request for an apology during this Question Period, Minister Prentice replies as follows:

Well Mr. Speaker this is the government that has executed the agreement resolving the residential school legacy. My friend refers to the 13-year liberal legacy of not getting the job done. They talked about an agreement. They didn't get it done. They talked about early payments to the elderly. They didn't get that done. They talked about a truth and reconciliation commission. They didn't get that done. All they did Mr. Speaker, was spend 80% of the money on the ADR process on bureaucrats and lawyers. They accomplished nothing! This government will proceed and get the agreement implemented.

By repeating both the phrases “they talked about” and “they didn’t get it done,” Minister Prentice reinforces the idea that it was the Liberal government and not the Conservative government that should be bearing the brunt of criticisms. This discourse serves to distract from the current government’s wrongdoing associated with refusing to apologize by offering up the failings of a previous government for comparison.

The other very notable discursive element in this response is Minister Prentice’s use of the past tense when he claims, “Well Mr. Speaker this is the government that *has* (emphasis added) executed the agreement *resolving* (emphasis added) the residential school legacy.” By choosing to speak in the past tense about the resolution to the legacy of residential schools, the Minister implies that the legacy of residential schools is no longer an issue. The suggestion that the legacy of residential schools was resolved when

the Settlement Agreement was executed, without an apology, suggests that the government felt the issue was already closed, or should be closed, and that further action was unnecessary. The Minister also displays the textual feature of *certainty* in this statement, not suggesting that the Settlement Agreement may resolve the issue, but rather stating that the issue was resolved, as an unquestionable fact (Fairclough, 2001).

Finally, the Minister continues to distance the Conservative government from the refusal to apologize by failing to assign agency for the main reason presented against an apology; the absence of this requirement in the Settlement Agreement. On the two occasions that Minister Prentice actually discusses the apology over the course of this question period, agency is assigned to the agreement and not the individuals or government that created said agreement. When asked why the government refused to apologize, Minister Prentice states, “The agreement did not call for an apology,” as if it were possible for the agreement apart from the individuals to make the decision to include or exclude the provision of an apology.

Despite the changing experiential value that we see take place between these two statements and the shift from avoiding the topic of apology conveying favour for the event, the statement announcing the date for the residential school apology still betrays the challenges of coming to that change in position (Fairclough, 2001). The May 15, 2008, statement announcing the date of the residential school apology appears very positive and completely at odds with earlier discourse surrounding the residential school apology (see Appendix C). However, there are *relational* elements present in this discourse that betray the government’s apparent attempts to downplay the historically challenging social relationship between those calling for an apology and a government



that until recently was unwilling to provide one (Fairclough, 2001). In the third paragraph, Minister Strahl explains why there will be an apology stating “thousands of former students and National Chief Phil Fontaine of the Assembly of First Nations, who is a former student of a residential school, have been *calling for* (emphasis added) a formal apology from the Government of Canada for *a number of years* (emphasis added).” The choice of the phrase “calling for” over the equally suitable word “demanding,” is interesting as both are accurate to describe the discourse from Aboriginal groups leading up to the apology, but “demanding” would convey more aggression and forcefulness on the part of those “calling for” the apology. Thus it paints the supporters of an apology in a more negative light and implies that the government had less control over the decision to apologize. Similarly, the statement also uses the phrase “calling for” where the word “requesting” could be appropriately substituted. The word “requesting” however, conveys the desire for and struggle to achieve an apology as reasonable and polite from the requester’s side, and thus the government previously refusing to fulfill this request is cast more negatively. Also, the word “requested” implies more culpability on the part of the government in denying an apology to residential school survivors. As Fairclough notes in *Language and Power*, “Text producers often adopt strategies of avoidance with respect to the expressive values of words for relational reasons. A euphemism is a word which is substituted for a more conventional or familiar one as a way of avoiding negative values” (2001, p.97-98). This strategy can be seen in the choice of the phrase “calling for” as it doesn’t place significant culpability on either party in this case.

The use of the phrase “a number of years” in the same sentence serves to downplay the negativity associated with the fact that this apology was finally taking place

after being repeatedly requested and debated for many years. In fact, the word “many” is a euphemism for “a number of” but conveys more clearly the long waiting period that survivors had to endure before receiving an apology and once again would have highlighted the turmoil that preceded the residential school apology.

A final example of the *relational values* expressed in this text is the government’s reference to the receivers of this apology as “former students” rather than “survivors” (Fairclough, 2001). This is an interesting word choice that is not consistent with the language used by Aboriginal groups or supporters of the apology. However, this is consistent with the language used by the Conservative government in their discussion leading up to the apology, and it is only during the apology statement that the Government refers to the students as “survivors.” There is a much less serious connotation for the word “student” which is often seen as a positive thing as opposed to the word “survivor” which is largely negative and conveys the hardship that these individuals would have gone through. The tone of this piece is overwhelmingly positive and it seems that with the wording choice in this statement the government is trying to downplay the negativity surrounding the event. It is somewhat reminiscent of the fact that this is the same government that once claimed that there was no need for an apology as the primary objective of residential schools was “to educate aboriginal children” (Indian residential school reconciliation, 2007).

Despite the vast differences in these two documents, there are two features that allude to similar motives that persist throughout the discussion surrounding the residential school apology. As previously mentioned, the overarching theme of “closing the issue” can be seen throughout these documents and is highlighted through the

discursive tactics of overwording and metaphors (Fairclough, 2001). Fairclough describes *overwording* as repeating of a particular word or using synonyms to express that same word very frequently throughout a text. He states “overwording shows preoccupation with some aspect of reality – which may indicate that it is an aspect of ideological struggle” (2001, p.96). In the first statement, we see Minister Prentice use words such as “dealing with” and “resolving” when discussing the residential school legacy, words that convey finality to the issue at hand. Minister Strahl also displays language that suggests the desire to “close the issue,” in statements such as, “...I am hopeful that the apology will help turn the page from the sad legacy of Indian residential schools and open a new chapter...” He also uses the term “reconciliation” which could be used to convey the idea of moving on and thus no longer being involved with the present issue. The wording used suggests that the government would like to move on from the reconciliation process and that the apology is an attempt to close the issue and do just that.

The linguistic device of *metaphors* can be noted in both of these statements as well, and these metaphors are part of a continuing metaphor that has been used throughout the discourse surrounding the residential school apology, from the time that the government was denying an apology to survivors and even within the official apology (Fairclough, 2001). The metaphor of a “book” or “chapter” is used consistently when the government tries to promote “closing the issue” of residential school reconciliation. The imagery of a book seems to place the issue of residential schools within history, and there is a finality or completeness conveyed through the metaphor of a turning page or finished chapter. Interestingly, when denying an apology to survivors, part of the argument against an apology was the idea that it was “time to put this sad chapter of Canadian

history behind us” and that an apology would reopen the issue. Minister Prentice defends the government’s refusal to apologize using this very argument, responding in the House of Commons to the call to apologize by saying, “The agreement did not call for an apology. We are implementing fully the terms of the agreement that was executed to put this sad chapter of Canadian history behind us, Mr. Speaker.” Conversely, when describing the apology in the statement on May 15, 2008, it is presented as that which will be the final piece in this “chapter” before Canadians could “close the issue.”

### Analysis: Phase II -Thematic Analysis

For further examination of the Conservative government's changing rhetoric and position surrounding the residential school apology, open coding has been used to identify consistent themes in the government's discourse on this issue from 2006 to 2008. The following table features a breakdown of the documents used for the thematic analysis, grouped according to the time period that each document is from based on the government's stance on this issue at the time.

Table 2.

Time Period	Date	Title
Deny Apology	November 7, 2006	House of Commons debates
	March 26, 2007	Post-Question Period media scrum
	March 27, 2007	Question Period
Apology Debate	May 1, 2007	House of Commons debates
Apologize	October 17, 2007	Speech from the Throne
	May 15, 2008	Statement – Minister Strahl Announces Date For Indian Residential School Apology

Between March 27th, 2007, and May 1, 2007, the Conservative government changed their position from denying an apology to survivors to supporting the proposed apology, though without a concrete plan for implementation or support from all areas of government. By October 17, 2007, the Conservative government announced that an apology would be forthcoming, and sooner than originally anticipated. A statement announcing the date for the apology on June 11, 2008 was released on May 15, 2008. Despite the drastic change in position on this issue in just over one year, there are

common themes and metaphors that can be identified throughout the discourse surrounding the residential school apology. The following table outlines the overarching themes, codes within each theme and the frequency with which each code is found during the three time periods that I have examined.

Table 3.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Reconciliation Attempts	Tory Work	7	3	0
	Tory Accomplishments	9	9	4
	TA - TRC	0	5	2
	Agreement	9	1	0
Legal Liability	Legal Liability	1	4	0
	ATI	1	4	0
Deny Malice	Deny Malice	1	0	0
	Qualifying	0	3	0
Stalling/ Avoidance	Terms	8	0	0
	Resolution in Progress	5	0	0
	No Date	1	4	1
	Shifting Blame	9	10	0
Close Issue	Close Issue	3	2	1
Metaphors	Book/Chapter	6	6	4
	Door	1	0	0
	Journey	0	0	1

Throughout the three time periods, the CLOSE THE ISSUE theme remains particularly consistent. The idea of closing the issue is also highlighted by the continuous metaphor of a book or chapter, used throughout the government's discourse on this matter. The other themes that I have identified throughout the documents used for this analysis seem to support the idea of closing the issue whether that is through an apology or instead of an apology.

### *Deny Malice*

Table 4.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Deny Malice	Deny Malice	1	0	0
	Qualifying	0	3	0

The DENY MALICE theme is one of the least common themes in the early discourse of denying an apology, as one that didn't present an alternative resolution but instead denied that an apology was even necessary. The denial of malice with regards to the residential school system came about during the Post-Question Period media scrum on March 26, 2007, when then Minister of Aboriginal Affairs and Northern Development, Jim Prentice, responded to a question about why the Conservative government under Prime Minister Stephen apologized for the Chinese Head Tax and to Maher Arar but refused to apologize to the survivors of residential schools:

I think the circumstances are quite different. You know I've said very clearly that the residential school chapter of our history is one that was a difficult chapter.

There were many things happened that, you know, we need to close the door on as part of Canadian history. But fundamentally the underlying objective had been to try to provide an education to Aboriginal children and I think the circumstances are completely different for Maher Arar or also from the Chinese head tax issue

By stating that the primary objective of residential schools was education, the Minister denied the malicious intent of removing children from their homes and cultures for the purpose of “killing the Indian in the child<sup>2</sup>” (About the commission, n.d.).

Within that same statement, the Minister also explicitly states that the residential school topic should be closed. In his response to the question regarding other apologies he explicitly states, “There were many things that happened that, you know, we need to close the door on as part of Canadian history.” This is an interesting statement to note as, while closing the issue remains a consistent undercurrent within government discourse, the DENY MALICE theme comes up very rarely in subsequent discourse and not at all in the internal documents accessed through ATI requests. Further sentiments of this nature appear to be attempts to qualify the initial statement denying malice. In fact, the code DENY MALICE only occurs in this one case, but the same category includes the code QUALIFYING, which appears three times during the apology debate. The appearance of the code QUALIFYING may be a direct result of the fact that the press and opposition parties perceived denials of malice negatively and often quoted this one instance when criticizing the government in relation to the apology and other Aboriginal issues. The Minister never responds directly to the occasions where the quote denying malice is brought up, however he does return to the theme DENY MALICE in the quotes he chooses when making his “statement to the house” during the apology debate. In this case the Minister uses a quote from the book *A National Crime* that seems to follow the same thread of denying malice: “--one conclusion becomes unavoidable: despite the discourse of civil and spiritual duty that framed the school system, there never was invested in this

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<sup>2</sup> This infamous phrase was used to describe the rapid and complete cultural assimilation of First Nations children into white society, often described as a “cultural genocide.” It is often quoted in reference to the policies of Duncan Campbell Scott, Head of Indian Affairs in the 1920’s.



project the financial or human resources required to ensure that the system achieved its ‘civilizing’ ends or that children were cared for properly” (Milloy, 1999). This quote appears to support the Ministers previous denial of malice, despite the fact that this is not the overall message of the book. In this context the quote seems to imply, in much the same way that the Minister had, that the intentions of residential schools were good, and it was mistakes or “lack of resources” that were cause for problems rather than the very objectives of the residential school system. By using this quote out of context, from a very respected source on the topic of residential schools, it appears to be an attempt to qualify the earlier denial of malice by showing that it this was a widely accepted opinion. While it was never stated directly that these qualifying events were in response to the outcry about the original denial of malice, it is clear that this original statement caused quite a backlash from the media, First Nations people and opposition parties, and as such it would not be surprising for the Minister to attempt to qualify what had been said.

### *Reconciliation Attempts*

Table 5.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Reconciliation Attempts	Tory Work	7	3	0
	Tory Accomplishments	9	9	4
	TA - TRC	0	5	2
	Agreement	9	1	0

While the theme of DENYING MALICE questioned whether an apology was appropriate, the rest of the themes were more concerned with the politics surrounding an official apology. The theme of RECONCILIATION ATTEMPTS demonstrated language

choices that focus on the amount of work and money already expended by the government, the accomplishments with regards to Aboriginal issues and the Settlement Agreement<sup>3</sup>, and the establishment of the Truth and Reconciliation Commission<sup>4</sup>. These were coded as TORY<sup>5</sup> WORK, TORY ACCOMPLISHMENTS, AGREEMENT, and TORY ACCOMPLISHMENTS – TRC, respectively.

In early discourse, during the “deny apology” period, codes within the theme of RECONCILIATION ATTEMPTS come up frequently when government officials, in this case then Minister of Aboriginal Affairs and Northern Development, Jim Prentice, are questioned about the status of the requested apology. The code TORY WORK, which includes statements about money and time spend creating the Settlement Agreement can be seen seven times before the apology debate. Likewise, the theme of TORY ACCOMPLISHMENTS, with a focus on the positive outcomes of some initiatives of the Conservative government, comes up nine times. Both of these themes seem to suggest that the resolution that the government has put into place thus far is “fair and generous” and as such, should be enough for a resolution without the inclusion of an apology (House of Commons Debates, 2007).

In later discourse during the “apology debate” and “apologize” periods, the theme of RECONCILIATION ATTEMPTS persists, but conceivably with different intentions.

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<sup>3</sup> The Settlement Agreement is an agreement between legal counsel for former students, legal counsel for the Churches, the Assembly of First Nations, other Aboriginal organizations and the Government of Canada to bring a resolution to the legacy of residential schools. Five elements that make up the Settlement Agreement are: A common experience payment; an independent assessment process; measures to support healing; commemorative activities; and, the establishment of the Truth and Reconciliation Commission (<http://www.aadnc-aandc.gc.ca/eng/1100100015638/1100100015639>)

<sup>4</sup> The Truth and Reconciliation Commission (TRC) was created as part of the Settlement Agreement for the survivors of Canadian Residential Schools. The TRC has a mandate to learn about the Residential Schools, what took place there and to share that information with all Canadians. The TRC is responsible for gathering statements from survivors, hosting events, conducting research, providing public education, and commemorating survivors

<sup>5</sup> Tory is another term used to describe the Conservative Government of Canada

Originally, RECONCILIATION ATTEMPTS was used in arguments for what appears to suggest that the hard work done to that point should be sufficient for reconciliation without an apology. In the two later time periods, the language used in this category takes on more of a congratulatory tone, suggesting an ownership by the Conservative government on any progress that has been made with regards to reconciliation. The discourse during the “apology debate” and “apologize” time periods no longer implies that this quantity of works should be enough, as the apology is now on the table as well. This is especially true given any discussion of the TRC, and the code of TORY ACCOMPLISHMENTS – TRC is introduced during the debate, where it occurs five times, and twice during the “apologize” period. TORY ACCOMPLISHMENTS are discussed with consistent frequency relative to the volume of text throughout the “debate” and the “apologize” period, with nine occurrences and four, respectively. This code and the discourse that betrays it seems to shift from framing the prior work of the Conservative government from enough to close the discussion on residential school reconciliation without an apology, to using these achievements to re-imagine the Conservative government as one that had made great strides towards reconciliation previously, rather than the government that had blocked reconciliation efforts through their refusal to apologize.

### *Stalling/Avoidance*

Table 6.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Stalling/ Avoidance	Terms	8	0	0
	Resolution in Progress	5	0	0
	No Date	1	4	1
	Shifting Blame	9	10	0

The theme of STALLING/AVOIDING the issue is often seen in conjunction with RECONCILIATION ATTEMPTS, such as when Minister Prentice discusses what has already been done with regards to residential school reconciliation, rather than answering questions directly about the status of an apology. Stalling themes are seen with the greatest frequency during the “deny apology” period, less than half as much during the “apology debate” and only once during the “apologize” period. The stalling themes are coded as TERMS, RESOLUTION IN PROGRESS, NO DATE, and SHIFTING BLAME. TERMS and RESOLUTION IN PROGRESS in particular are often in the same sentences that present codes within the theme of RECONCILIATION ATTEMPTS.

In the Post-Question Period media scrum on March 26, 2007, Minister Prentice answered a question regarding the status of the apology by highlighting what the Tories have already done in working towards a resolution and stalls/avoids answering questions by instead talking about the resolution that is in progress:

Well, my thoughts are that we should implement the agreement that we spent several years negotiating and which has been nine months in the court process now. So we're in the process of doing that. It's going very well. We're into the opt-out period now. It's a very significant agreement. There's over 10,000 people that have received advanced payments. In the past year alone there have been over 1,400 people that have been through the ADR process. So we are doing a very good job of implementing the agreement that was arrived at by all the parties.

The Minister's mention of the opt-out period was particularly significant in this case, as can be understood due to information received from the Department of Aboriginal Affairs and Northern Development in an ATI request. At the time that the opt-out period was available, from March 2007 to September 2007, the Government of Canada would have been exposed to increased legal liability if they had offered an apology to residential school survivors. It is notable that STALLING/AVOIDANCE tactics were only used before the opt-out period closed and primarily while the government was exposed to increased legal liability if an apology were to be offered, during the periods that I have identified as "deny apology" and "apology debate."

Conversely, but with conceivably the same end goal, the Tories also respond to pressing questions about the status of an apology by diverting attention to what the Liberal government had not done during their time in power, which I coded as SHIFTING BLAME. Minister Prentice highlighted Conservative accomplishments and emphasized Liberal failings in his response to the Liberal MP for Desnethé--Missinippi--Churchill River, Mr. Gary Merasty's second request for an apology:

Well, Mr. Speaker, ... I think it only fair that Canadians note that the gap that exists is the devastating record, as others have referred it to, of the former liberal government in dealing with Aboriginal issues. A legacy of 13 years of broken promises, inaction. My friend needs to point out that it is this government that has signed an agreement.

Note that in neither case is he actually answering the question about the Conservative government's plans with regards to an apology. The partisan discourse present in this code is something that we see when the Tories are refusing to apologize, when the motion is being debated and even to some extent once the apology is announced, whereas the other STALLING/AVOIDANCE tactics are primarily used when an apology is being denied.

The only code within the theme of STALLING/AVOIDANCE that spikes after the government shifts away from denying an apology to supporting one is the code NO DATE. This code identifies the stalling theme used primarily during the debate period when the Tories indicate their initial support for an apology, but do not offer it concretely or unconditionally. This support was announced shortly after the media scrum and Question Period of late March 2007, when the government was criticized heavily from many stakeholders for their refusal to apologize, but also during the time when the government would have been exposed to increased legal liability should an apology have been offered.

## *Legal Liability*

Table 7.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Legal Liability	Legal Liability	1	4	0
	ATI	1	4	0

The theme of LEGAL LIABILITY would not have been obvious had it not been for information found in the ATI request documents from AANDC that outlined the government's answer for the question, "Why has the Government not apologized for the legacy of Indian Residential Schools in the past" (See Appendix D).

Within this theme, items were coded LEGAL LIABILITY when legality was discussed outright, or coded as ATI when legalities were referenced but only obvious due to the previously mentioned ATI information. These codes occurred only once each when denying the apology and significantly more during the "apology debate" period. In one of the last points made during his address to the House of Commons when indicating that the government would support the motion to apologize, Minister Prentice references the increased liability period three times, though he never states liability as a reason for this period's significance:

At the end of the day, the agreement that has been concluded required extensive work over the last year to complete. The court process involved proceeding forward with nine jurisdictions to secure court approval. That process is not entirely finished at this stage. It has been approved by all nine jurisdictions but the terms of the agreement provide for an *opt out period* (emphasis added). The

essence of the *opt out period* (emphasis added) is that if an adequate number of First Nations claimants decide that they do not wish to be part of this agreement, then the agreement is voidable at the option of the government. Therefore, the *legal process* (emphasis added) is not yet completed and is moving forward.

Not only does the Minister fail to convey the significance of legal liability in this discussion, but he had previously denied that legal concerns and potential costs were providing a barrier to the apology when asked if this were the case by reporters during the Post-Question Period media scrum of March 26, 2007. Based on the information found in ATI documents, it is apparent that legal concerns were in fact a barrier to apology at the time. After the opt-out period closed and the time period for increased liability ended, this theme was no longer present as the government took more concrete steps in planning the apology, including the Speech from the Throne announcing that the apology would take place and the statement to announce the date for the residential school apology.

#### *Close Issue*

Table 8.

Themes	Codes	No Apology	Apology Debate	Apology
Close Issue	Close Issue	3	2	1

The theme and code of CLOSING THE ISSUE persists throughout the discourse leading up to the residential school apology, from the initial refusal to apologize, through almost two years of debates, to the final statement announcing plans for an upcoming apology. It is coded three times when the government is refusing to apologize, and here



the suggestion of closing the issue is used as an argument against the official apology. In the Post-Question Period media scrum on March 26, 2007, Minister Prentice responds to the question of the status of an apology, as was being raised by the AFN chiefs, by implying that reopening the provisions of the Settlement Agreement to include an apology would be out of the question:

Well, we're in the process of implementing the agreement and the agreement did not call for an apology. The agreement was negotiated over the course of several years. It's been through about 10 months of court proceedings now. I don't propose to reopen the provisions of the agreement. We're implementing the agreement and it's going quite well."

By suggesting that they would not reopen the provisions of the agreement and that changes to the way reconciliation would take place was not something the government was willing to consider, the Minister is demonstrating the clear power imbalance in the governments favour. Later in the same media scrum Minister Prentice is quoted as saying "There were many things happened that, you know, we need to close the door on as part of Canadian history." The message is clear: this is an issue that the Government of Canada wanted to close, and while they were denying an apology to survivors, they positioned an apology as a barrier to this happening rather than an aid.

Minister Prentice raises the code of CLOSING THE ISSUE twice during the "apology debate," but the context changes significantly. In discourse from the debate in the House of Commons on May 1, 2007 and in subsequent discourse surrounding the

apology, an apology is no longer presented as a barrier to closing the issue, but rather, the final piece needed to do just that:

It is my sincere hope, as happened in South Africa, that this matter will be *dealt with* (emphasis added), that *the whole issue* (emphasis added) of apologies, the whole issue of how this country is to find a way forward will *be dealt with* (emphasis added) by the truth and reconciliation commission, that it *will be dealt with* (emphasis added) in a manner that speaks to the dignity and the integrity of the Canadian people in wanting to come to grips with this chapter of our history, and that the executive branch of government will need to see that document because the full history of this will not be disclosed . We will not have explored the full depths of the history of the residential school agreement of this chapter of Canadian history until the work of that commission has finished.

In this statement, the theme of STALLING/AVOIDANCE is present in the refusal to provide a date and suggesting that the Truth and Reconciliation must first complete their mandate. Consequently, the period for renewed legal liability would close before an apology could be provided. Speaking to the theme of CLOSING THE ISSUE, the Minister makes it very clear that he would like the Truth and Reconciliation Commission, and the potential accompanying apology to “deal with” the issue of residential schools, and as such, wrap up and close the issue.

Finally, the theme of CLOSING THE ISSUE is present in the “apologize” period, when the government is taking steps towards providing an apology to survivors. The

Speech from the Throne presented by the Governor General, the Right Honorable Michaëlle Jean contains this theme, as does the statement from the Minister of Aboriginal Affairs and Northern Development announcing the date for the residential school apology. In his statement, Minister Strahl says “With the Settlement Agreement and the Indian residential schools Truth and Reconciliation Commission, I am hopeful that the apology will help turn the page from the sad legacy of Indian residential schools and open a new chapter - one that is founded on renewed hope, faith, mutual respect and trust.” Here the apology is presented as the final piece to close the issue of residential school reconciliation in Canada.

### *Metaphors*

Table 9.

Themes	Codes	Deny Apology	Apology Debate	Apologize
Metaphors	Book/Chapter	6	6	4
	Door	1	0	0
	Journey	0	0	1

The theme of CLOSING THE ISSUE is often presented along with the metaphor of a book or chapter. The suggestion of “closing a door” and a “journey,” are each used on one occasion however; the metaphor of a BOOK/CHAPTER is constant throughout the discourse surrounding the residential school apology. This code is found six times in the first section, six times in the second and four times in the last section. The first time that this metaphor is used within these documents is in the Post Question Period media scrum when Minister Prentice discusses the difference between the Maher Arar and Chinese Head Tax apologies, and the circumstances surrounding residential schools: “I

think the circumstances are quite different. You know I've said very clearly that the residential school chapter of our history is one that was a difficult chapter." He later references the residential school legacy again as a chapter, in this case one that the government hopes to finish with through the Settlement Agreement: "We are implementing fully the terms of the agreement that was executed to put this sad chapter of Canadian history behind us, Mr. Speaker."

During the "apology debate," the tone is switched, as the Minister argues that this "chapter" cannot be completed until the Truth and Reconciliation Commission completes its mandate. Minister Prentice positions the apology as the final piece of the chapter, and thus produces an excuse for not providing an apology sooner: "we will not have explored the full depths of the history of the residential school agreement of this chapter of Canadian history until the work of that commission has finished."

Finally when the government commits to providing an apology, the metaphor is used again to suggest that the apology will complete the chapter of the residential school legacy. The Governor General, the Right Honorable Michaëlle Jean uses this imagery in her Speech from the Throne: "Our Government recently concluded a final settlement on Indian residential schools and will launch a commission for truth and reconciliation. The Prime Minister, on behalf of our Government, will use this occasion to make a statement of apology to close this sad chapter in our history." The new Minister for Aboriginal Affairs and Northern Development, Chuck Strahl, also uses the chapter/book metaphor in his statement announcing the date for the residential school apology. Like the Governor General he suggests that the residential school apology will "turn the page from the sad legacy of Indian residential schools," and he adds that he hopes it will also "open a new

chapter - one that is founded on renewed hope, faith, mutual respect and trust.” He concludes by saying “this will be a chapter that all Canadians can feel proud of,” suggesting that the old chapter of shame, blame and the legacy of residential school would be closed, and a new story would be told from that point forward.

## Discussion

The application of critical discourse analysis to documents covering the discussion around an apology to residential school survivors betrays themes and consistencies in the discourse by the Government of Canada. The analysis aims to connect themes in the discourse with themes present in the literature review. The analysis also seeks to identify consistencies in the seemingly changing discourse of the Government of Canada in the two-year time period of this study. Finally this research highlights the role of closing the issue in the Canadian apology to residential school survivors and suggests that based on commonalities that this apology has with the bulk of assumptions in apology literature, that closing the issue may be a factor in other political apologies as well.

The use of Fairclough's (2001) model of CDA is appropriate given the linguistic focus of this analysis and the power dynamics at play with the balance of power tipped dramatically in favour of the Government of Canada in this case. Throughout the documents analyzed, the government always downplays the historically challenged relationship that led to the current discussion surrounding the residential school apology, from denying malice to touting reconciliation attempts to using relational word choices that betray attempts to downplay any challenges the two parties have faced. The power hierarchy in this case is very apparent, however as not only the former aggressor, but also the withholder of an apology (for much of this analysis), the government uses language that tries to conceal that power imbalance. Despite these attempts, the government's word choices, especially when inconsistent with the rhetoric used by the people requesting an apology, still demonstrates the maintenance of the current power structure. When an

apology was finally agreed to, the government downplayed the challenges of arriving at this step in the reconciliation process, and when the apology was finally presented it was on the governments terms, specifically, after the opt-out period had closed and the government was no longer exposed to legal liability by providing an apology. Critical discourse analysis was an appropriate choice for the analysis of the two oppositional documents studied in this paper and tenants of CDA were also useful to consider when identify themes through open coding, including some created out of discursive events present in the documents (Fairclough, 2001).

Research question one is concerned with the themes that emerge through open coding from the analysis of documents related to the residential school apology. A comprehensive analysis of the discourse surrounding the residential school apology coupled with an examination of literature on the topic of political and mass apologies demonstrates that trends identified in the analysis section of this Major Research Paper are consistent with findings and assumptions from scholars in this area. I will now discuss these themes in turn.

### *Deny Malice*

The theme of DENYING MALICE though unpopular and arguably the beginning of some controversy for the Conservative government, is supported by literature that claims governments will sometimes refuse to apologize based on the belief that there is nothing to apologize for (Bavelas, 2004; Bilder, 2008; Blatz, Schumann & Ross, 2009). These same authors also point to the strategy of minimizing the appearance of perceived harms in order to avoid the need for an official apology (Bavelas, 2004; Bilder, 2008;

Blatz, Schumann & Ross, 2009). In the attempts to minimize the perceived harms of the residential school system and therefore the need for an apology, the Minister of Aboriginal Affairs and Northern Development and by extension the Government of Canada produced the obviously unintended result of angering many stakeholders and reigniting the calls for an apology (Indian residential schools resolution, 2007). Quotes taken from respected sources on the residential school legacy that seem to support the denial of malice appear to be attempts to qualify earlier statements and help to alleviate some of the controversy surrounding said statements (Milloy, 1999). The government didn't state this intention outright, but it can be inferred based on the subject matter of the quotes, the timing when they were used (shortly after denial of malice), and the natural desire to defend against a backlash.

### *Legal Liability*

Another theme present in both the literature and apparent through analysis of documents pertaining to the residential school apology is LEGAL LIABILITY. As well as being a reoccurring theme in the discourse surrounding the residential school apology, the issue of legal liability has been cited by many scholars as one of the primary barriers to political apologies (Bilder, 2008; Bavelas, 2004; Harris, Grainer & Mullany, 2006; Thompson, 2008; Tyler, 1997). Legal liability was a barrier in the case of the residential school apology, which was finally promised after the opt-out period increasing exposure to liability had passed. Much like the theme of DENYING MALICE, however, this theme was not discussed outright by the government, and it was in fact denied by the Minister of Aboriginal Affairs and Northern Development when asked directly by the



media if legal liability was a barrier (Curry, 2007). Only through information obtained via an access to information request was the barrier presented by legal liability revealed, and the effect of this barrier is notable given the fact that the government finally accepted the call to apologize with concrete steps after the opt-out period ended. This change in the government's stance on the apology further supports literature on the topic of apologies that call for a removal of barriers, such as legal liability, in order to make obtaining apologies less challenging (Bavelas, 2004, Greenberg, 2012; Department of the Ombudsperson, 2006).

### *Stalling*

With the end of the opt-out period and elimination of legal liability as a barrier, the theme of STALLING also disappeared from the discourse surrounding the residential school apology. This was a unique theme, as it is the only one not also discussed in most literature on the topic of political apologies. This theme is also present in some of the most interesting discursive events, such as those in the code for SHIFTING BLAME. Here the Minister employed discursive tactics such as *repetition* when describing the failings of the previous government with regards to Aboriginal issues, serving to distract from the current government that was refusing to answer questions about the status of an apology (Fairclough, 2001). Given that the plan to provide an apology was announced so quickly after the legal liability period closed, it would appear the stalling theme may have been directly related to this unique situation of a brief period of increased legal liability. It also demonstrates that after the liability period ended, for a government facing as much pressure to apologize and with as few barriers as the Canadian government had in

October 2007, the choice to provide an apology at that point was a clear one. Should the barrier of liability not have existed for the Canadian government with regards to residential school reconciliation, perhaps the controversy surrounding the issue would not have built to such a pitch as an apology could have been provided earlier. That being said, while this government did have a fairly positive track record on providing apologies to this point, the record on Aboriginal issues was far less encouraging (DiNova, personal communication, 2013; Dorrell, 2009; Freedman, personal communication, 2013; Indian residential school reconciliation, 2007; Jung, 2009).

### *Reconciliation Attempts*

Despite changes in the language and oppositional stance of the Government of Canada over the two-year period that I have examined, there are several themes that remain consistent throughout the discourse on this topic, one of which is the theme of RECONCILIATION ATTEMPTS. As noted earlier, apology literature points to highlighting previous reconciliation attempts as one way to justify refusing an apology, as was attempted by the Government of Canada in this case. In the literature section “motivators for government apologies” several authors point to apologies as an effort to restore or improve an image (Gibney et al, 2008; Harris, Grainger & Mullany, 2006; Kampf, 2008; Koesten & Rowland, 2004; Murphy, 2010). It is interesting to note that the Government of Canada consistently used the theme of “Reconciliation Attempts,” either to suggest closing the issue and that enough had been done already, or to reframe the Conservative government as one that was very supportive of an apology, changing the *experiential value* of the Conservative government’s relationship with the residential

school reconciliation process (Fairclough, 2001). This theme is one of the few that remains consistent throughout the discourse; perhaps because in all cases it was used as a tool for image improvement, promoting what the Conservative government had done well, their efforts towards an apology or a tactic entirely separate from apologizing.

### *Closing the Issue and Metaphors*

There are two other themes that do not diminish throughout the discourse on the topic of the residential school apology: CLOSING THE ISSUE and the accompanying METAPHOR of a book or chapter. This theme and metaphor are consistent and paired throughout my analysis. The theme of CLOSING THE ISSUE is noted briefly by scholars when considering apologies in general (Bavelas, 2004) and in the context of the apology to residential school survivors (Bavelas, 2004; Dorrell, 2009; Greenberg, 2012). These themes are also central to uncovering any consistencies in language used throughout the discussion (Research Question #2) and the consistency of these themes point to a continued focus on the completion of the reconciliation process throughout the two-year period encompassed by this research. Fairclough describes a metaphor as “a means of representing one aspect of experience in terms of another...” which is fitting for this government’s apparent experience of the residential school legacy as something that they appeared to want closed and within the history books (Fairclough, 2001, p.99). From denying an apology to providing it, the metaphor and surrounding messaging remained consistent; this issue should be closed, through one means or another.

## Conclusion and Further Research

Despite the appearance of a complete ideological shift from refusing to apologize to embracing the notion of an apology, analysis of frequent themes and critical discourse analysis reveals that many of the underlying intentions of the government remain the same throughout the time period that the residential school apology was being discussed. The tactic and rhetoric changes, but the desire to close the issue remains the same, as evidenced by the consistent metaphor of a chapter or book. CLOSING THE ISSUE is a theme that occurs not only as a code in my thematic analysis and a linguistic device uncovered during CDA, but also as a theme briefly discussed in literature on this topic. In fact, most of the themes uncovered in the six key documents used for analysis in this MRP were also present in the literature on this topic. The theme of STALLING was an exception, conceivably related to the unique period of increased legal liability that the Canadian government faced related to residential school reconciliation. This being the only exception raises the question of the importance of closing the issue in other political apologies that have so many other commonalities with the apology to residential school survivors.

This topic presents countless possibilities for other questions and research opportunities. The possibility of relating these findings to other political apologies, and the previously mentioned suggestion that closing the issue may play a significant role in other political apologies is one possible direction for further research. Building on that direction is the consideration of an apology as a response to a crisis communication situation, and examining how this response can diffuse a crisis and gain the attention of potentially volatile and disgruntled stakeholders. Finally, considering the gaps in material

provided by the Federal Government for the ATI requests used in this MRP, a potential area for further research could stem from communications documents from the Privy Council Office of Canada related to the residential school apology. As mentioned before, documents from this office could provide very useful, concrete information for understanding government motivations and barriers with regards to the residential school apology.

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## Appendix B

### *Timeline of the Residential School Apology*

January 23, 2006 – Federal Election, Conservative win with Stephen Harper as leader

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February 6, 2006 – Stephen Harper sworn in as Prime Minister

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Nov 7, 2006 – Hon. Gary Merasty requests apology in the House of Commons

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March 26, 2007 - Post-question period media scrum, Hon. Jim Prentice questioned about apology

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March 27, 2007 - Question Period, Hon. Jim Prentice indicates that an Apology will not be forthcoming

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May 1, 2007 - Statement from the House, Conservative government will support the motion to Apologize, must still be approved by Executive Council (after the TRC wraps up aka. in ~5 years)

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August 14, 2007 – Cabinet Shuffle, Jim Prentice replaced by Chuck Strahl as Minister of Aboriginal and Northern Affairs

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October 17, 2007 – Statement from the House, Stephen Harper announces that the government will apologize (no date set)

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May 15, 2008 – Statement announcing the date for the residential school apology is issued by the Minister of Aboriginal Affairs and Northern Development Canada

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|

June 11, 2008 – Apology

## Appendix C

### *Documents used in Analysis*

1. House of Commons Debates – November 7, 2006 (Edited for Appendix)
2. Indian residential school reconciliation media clips (Edited for Appendix):  
Post-Question Period media scrum – March 26, 2007  
Question Period – March 27, 2007
3. House of Commons Debates – May 1, 2007 (Edited for Appendix)
4. Speech from the Throne – October 16, 2007 (Edited for Appendix)
5. Statement: Minister Strahl Announces Date Set For Indian Residential School Apology – May 15, 2008



CANADA

# House of Commons Debates

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VOLUME 141 • NUMBER 078 • 1st SESSION • 39th PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

Tuesday, November 7, 2006  
(Part A)

—

Speaker: The Honourable Peter Milliken

# HOUSE OF COMMONS

Tuesday, November 7, 2006

The House met at 10 a.m.

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## *Prayers*

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●(1000)

[*English*]

### POINTS OF ORDER

#### ALLEGED SIMILARITY OF PRIVATE MEMBERS' BILLS—SPEAKER'S RULING

The Speaker: The Chair is now prepared to rule on a point of order raised by the hon. member for Scarborough—Rouge River on November 1, 2006, concerning Bill C-257, standing in the name of the hon. member for Gatineau, and Bill C-295, standing in the name of the hon. member for Vancouver Island North. Both bills amend the Canada Labour Code in relation to replacement workers.

[*Translation*]

I want to begin by thanking the hon. member for Scarborough—Rouge River for having raised this matter and the hon. member for Vancouver East for having made a submission.

[*English*]

In his presentation, the hon. member for Scarborough—Rouge River argues that these bills are substantially the same, except for some minor differences relating to fines. A decision was taken by the House on October 18 to adopt Bill C-257 at second reading and refer it to committee. The hon. member argues, in light of this decision, that debate should not continue on Bill C-295 and that the bill should be removed from the order of precedence.

The hon. member for Vancouver East contends that although both bills deal with the same subject, they are different and, therefore, Bill C-295 should not be removed from the order of precedence.

[*Translation*]

Let me first clarify our practices with regard to items of private members' business which are similar. Standing Order 86(4) states:

The Speaker shall be responsible for determining whether two or more items are so similar as to be substantially the same, in which case he or she shall so inform the member or members whose items were received last and the same shall be returned to the member or members without having appeared on the notice paper.

[*English*]

When this Standing Order was first adopted, private members' business operated very differently than it does today. The Standing Orders provided for only 20 items of private members' business to be

placed by lottery on the order of precedence and provided that, of those, only three bills could come to a vote. Realistically, then, there was little chance that bills considered substantially the same would ever be drawn together and placed on the order of precedence, let alone be debated and voted upon. Given those odds, Standing Order 86(4) came to be involved only rarely: only when a bill was identical to one already introduced would it be refused. This generous interpretation is referred to in a ruling of Mr. Speaker Fraser on November 2, 1989, at pages 5474-5 of *Debates*, where he states:

I should say that in the view of the Chair, two or more items are substantially the same if, first, they have the same purpose and, second, they obtain their purpose by the same means.

Accordingly, there could be several bills addressing the same subject, but if they took a different approach to the issue the Chair would judge them to be sufficiently different so as not to be substantially the same.

The intent...was to give members an opportunity to put before the House items of concern to them, but to prevent a multiplicity of identical bills being submitted....

[*Translation*]

As Mr. Speaker Fraser explained, this interpretation had the practical effect of giving a member an opportunity to bring forward a legislative proposal on any subject, regardless of what other members might be doing. This practice has served members well until the present case.

[*English*]

The current Standing Orders, which were first adopted provisionally in May 2003, provide for a single draw of the names of all members at the beginning of a Parliament. On the 20th sitting day following the draw, the first 30 members on the list who have introduced a bill or given notice of a motion on the notice paper, constitute the order of precedence. Following the draw, the subcommittee on private members' business needs to determine if any of the items should be designated non-votable pursuant to Standing Order 91.1. In determining whether any of the items should be deemed non-votable, the subcommittee considers whether or not any of the bills or motions are substantially the same as ones already voted on by the House of Commons in the current session.

*Routine Proceedings*

In the case at hand, a careful examination of both bills reveals that they have exactly the same objective, that is, to prohibit employers under the Canada Labour Code from hiring replacement workers to perform the duties of employees who are on strike or locked out. The following minor differences distinguish them: First, Bill C-257 provides for a fine not exceeding \$1,000 for each day that an offence occurs, whereas Bill C-295 provides for a fine not exceeding \$10,000; second, Bill C-257 contains subparagraph (2.1)(f) in clause 2 concerning prohibitions relating to the use of replacement workers, text that is not found in Bill C-295; and third, subclause (2.2) in Bill C-257 appears as subclause (2.9) in Bill C-295.

Other than these three differences, both bills are identical in terms of their legislative and procedural impact. The only concrete difference between them relates to the sum of the fines. While this is an important matter, it does not make the bills into distinctly different legislative initiatives. The Chair must therefore conclude that both bills are substantially the same and achieve their objectives through the same means.

The question then becomes, should the second bill, Bill C-295, be allowed to proceed?

It seems to the Chair that there is considerable risk involved in allowing bills that are substantially the same to be debated. It puts at risk a key principle of parliamentary procedure, namely, that a decision once made cannot be questioned again, but must stand as the judgment of the House.

*House of Commons Procedure and Practice*, at page 495, explains that the principle exists for very good reason.

This is to prevent the time of the House from being used in the discussion of motions of the same nature with the possibility of contradictory decisions being arrived at in the course of the same session.

In the present case, we have an unusual convergence of circumstances. Not only were the bills sponsored by the hon. members for Gatineau and Vancouver Island North both placed on the notice paper, their names were also among the first 30 drawn for the order of precedence. Moreover, the subcommittee on private members' business faced with the fact that debate had yet to begin on items of private members' business could not deem one of the bills to be non-votable since the House had not yet taken any decisions on such business.

Today, the Chair has found itself in an unprecedented situation. I have concluded that Bill C-295 is substantially the same as Bill C-257. Ordinarily, I would order Bill C-295 to be dropped from the order paper in conformity with this standing order. However, given that this situation has never arisen before, I am reluctant to make a final ruling since this may be the only opportunity in this Parliament that the hon. member for Vancouver Island North gets to have an item on the order of precedence. At the same time, the Chair cannot allow the bill to go forward for its last hour of debate and the vote that would follow.

So, instead, in accordance with Standing Order 94(1), which provides the Speaker with the authority to make all arrangements necessary to ensure the orderly conduct of private members' business, I am ordering that Bill C-295 be dropped to the bottom of the order of precedence.

This delay in the consideration of Bill C-295 is designed to provide the Standing Committee on Procedure and House Affairs with sufficient time to examine this matter and suggest some resolution to the situation for the sponsor of the bill. The committee should also consider whether our practices in relation to the application of Standing Order 86(4) continue to serve the House in an effective manner given that our rules respecting private members' business have changed since this Standing Order was first adopted.

In the absence of a solution to the predicament of the sponsor of Bill C-295, the Chair will have no option when the bill next reaches the top of the order of precedence, I will order that debate not proceed, that the order for the bill's consideration be discharged and that the bill be dropped from the order paper.

●(1005)

Once Again, I thank the hon. members for Scarborough—Rouge River and for Vancouver East for having brought this situation to the attention of the Chair and of the House. It is an important contribution to the evolution of private members' business.

I believe the effect of the ruling will be that there will be no private members' business taken up this evening.

## **ROUTINE PROCEEDINGS**

●(1010)

[English]

[Translation]

## **Excerpt for Appendix C**

## **ABORIGINAL AFFAIRS**

Mr. Gary Merasty (Desnethé—Missinippi—Churchill River, Lib.): Mr. Speaker, the time has come. The House unanimously supported the residential school agreement. A centrepiece to this agreement was to secure an apology to the survivors of the residential school for the atrocities that they suffered.

On behalf of my mother, my aunts, my uncles and my community, when will the Prime Minister offer a simple human apology to the survivors of the residential school?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the hon. member knows full well that the agreement was concluded under this government, and it was one that I have worked on very diligently. He is well aware also that the agreement, as structured, did not call for an apology. He is well aware that the agreement is currently working its way through the court system and that we are waiting to hear back. I have had regular briefings on the status of those court proceedings. I will advise the House accordingly once the court process has been completed.



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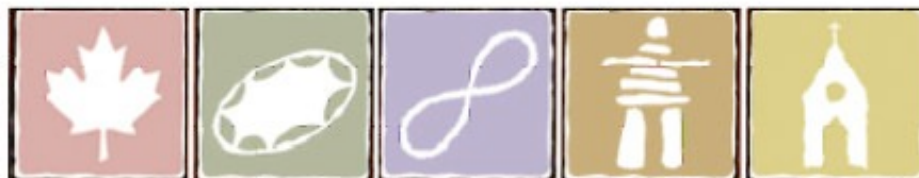
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**Indian Residential Schools Resolution Canada  
Media Clips**



**Résolution des questions des pensionnats indiens  
Canada  
Manchettes**

**Tuesday, March 27, 2007 • mardi, 27 mars 2007**

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2. **Question Period** (27 Mar 07)

**Post Question Period Scrum (26 Mar 07)**

DATE/DATE: March 26, 2007                      After Question Period

LOCATION/ENDROIT: House of Commons Foyer, Ottawa

PRINCIPAL(S)/PRINCIPAUX:                      The Honourable Jim Prentice, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians

SUBJECT/SUJET:      Assembly of First Nations Chief wants to know the status of an apology for the residential schools; Question regarding an update on Kashechewan

Question:                                      Can we just get a comment on the AFN Chief saying that (inaudible) apology for the residential schools. They'd like to know the status of that.

Hon. Jim Prentice:      Well, we're in the process of implementing the agreement and the agreement did not call for an apology. The agreement was negotiated over the course of several years. It's been through about 10 months of court proceedings now. I don't propose to reopen the provisions of the agreement. We're implementing the agreement and it's going quite well.

Question:                                      The (inaudible) accord that Anne McLellan signed in 2005 did say we understand that an apology will be necessary after the agreement is finished. That was in (inaudible).

Hon. Jim Prentice:      Well, under the previous government I mean there are many things that they did not attend to and there's an agreement that sets out in considerable detail what the understanding is between all of the parties that were involved in this. It took almost two years to negotiate and that agreement does not and to my knowledge never has called for an apology as part of the provisions of the agreement.

Question:                                      What are your thoughts as minister? Should there be an apology?

Hon. Jim Prentice:      Well, my thoughts are that we should implement the agreement that we spent several years negotiating and which has been nine months in the court process now. So we're in the process of doing that. It's going very well. We're into the opt-out period now. It's a very significant agreement. There's over 10,000 people that have received advanced payments. In the past year alone there have been over 1,400 people that have been through the ADR process. So we are doing a very good job of implementing the agreement that was arrived at by all the parties.

Question:                                      But you know when the Liberals originally brought forward that agreement many Aboriginal people said that what they want most of all is an apology and at the time they were told that that was to be worked out later on and it's really never come up again.

Hon. Jim Prentice:      Well, it's never come up because the agreement itself was very specific on what was to be included and it includes frankly in excess of \$2 billion of compensation payments in the form of common experience payments by the time it's all finished. And an apology did not form part of the agreement. Now I wasn't there for all of the negotiations. I was there in the closing negotiations. To my knowledge the agreement's never provided for an apology.

Question:                                      The chiefs are wondering though if this government can apologize for the Chinese head tax and can apologize to Mr. Arar why do they get apologies and not what happened to them?

Hon. Jim Prentice:      I think the circumstances are quite different. You know I've said very clearly that the residential school chapter of our history is one that was a difficult chapter. There were many things happened that, you know, we need to close the door on as part of Canadian history. But fundamentally

the underlying objective had been to try to provide an education to Aboriginal children and I think the circumstances are completely different for Maher Arar or also from the Chinese head tax issue.

Question: (Inaudible) to prevent you from bringing forth an apology? Would it cost too much?

Hon. Jim Prentice: No, it's not a question of legal advice.

Question: Last week you were saying that about this time this week you'd have more news on Kashechewan and that you would have finished reviewing the options that are available and what those people are after. Where are you now?

Hon. Jim Prentice: We're about a day away from revealing that so I expect to get a briefing tomorrow and I'll be in a position to speak to it then. I promised Chief Solomon that we would be in a position to speak to him by Friday of this week as I recall. So it's my intent to speak to him either tomorrow or the next day.

Question: I just want to report your comments accurately. Are you saying there will not be an apology from this government?

Hon. Jim Prentice: I'm saying that, you know, we are implementing the agreement. The agreement did not call for an apology and that's been very clear and that was made very clear in the closing negotiations of the agreement and it was made clear at that time that an apology did not form part of the agreement. I know I was present and involved at that time so we will carry on and implement the agreement as it was signed. And it was arrived at after considerable care, several years of discussions and negotiations.

Question: So any room for that to be revisited at a later date, sir?

Hon. Jim Prentice: I think I've made it very clear.

Question: Not really.

**Question Period (27 Mar 07)**

The Speaker: The Honourable member for Desnethé--Missinippi--Churchill River.

Gary Merasty (I): Mr. Speaker, yesterday ever so casually the Indian Affairs Minister insulted all Aboriginal people by asserting the fundamental goal of residential schools was education. In saying this he denies that the primary goal actually was to destroy Aboriginal People, languages and culture. The children confined to these schools, we call them survivors today but make no mistake they were children who were taken from their families, taken from their communities, and unspeakable acts were committed upon them. Why does the Prime Minister refuse to apologize for the atrocities suffered by these children?

The Speaker: The Honourable Minister of Indian Affairs and Northern Development.

Hon. Jim Prentice: Well Mr. Speaker this is the government that has executed the agreement resolving the residential school legacy. My friend refers to the 13-year liberal legacy of not getting the job done. They talked about an agreement. They didn't get it done. They talked about early payments to the elderly. They didn't get that done. They talked about a truth and reconciliation commission. They didn't get that done. All they did Mr. Speaker, was spend 80% of the money on the ADR process on bureaucrats and lawyers. They accomplished nothing! This government will proceed and get the agreement implemented.

The Speaker: The Honourable member for Desnethé--Missinippi--Churchill River.

Gary Merasty (I): It's amazing the gap -- the magnitude of the gap between compassion and doing the right thing that this government has. The Minister knows that an apology was to follow the completion of the residential school agreement. The failure of the government to apologize for these wrongdoings committed against innocent Aboriginal children is a betrayal, an insult to the people, and an insult that is manifesting itself in a tragic legacy today. Last November I asked the Prime Minister to apologize. I ask him again on behalf of my family: Apologize.

The Speaker: The Honourable Minister of Indian Affairs and Northern Development.

Hon. Jim Prentice: -- < Applause >

Well, Mr. Speaker, if we're going to speak of a gap I think it only fair that Canadians note that the gap that exists is the devastating record, as others have referred it to, of the former liberal government in dealing with Aboriginal issues. A legacy, of 13 years of broken promises, inaction. My friend needs to point out that it is this government that has signed an agreement. The agreement did not call for an apology. We are implementing fully the terms of the agreement that was executed to put this sad chapter of Canadian history behind us, Mr. Speaker.

\*\*\*\*

The Speaker: The Honourable member for Nanaimo--Cowichan.

Jean Crowder (ndp): Mr. Speaker, First Nations are being left behind by this government. No action to close the poverty gap for First Nations, a clawback of money to promote and protect Indigenous languages, no movement on self government negotiations. And now the conservatives refuse to recognize the wrong and damaging policies of past governments. Why does the Minister and this government refuse to apologize to First Nations for the cultural destruction brought about by residential schools?

The Speaker: The Honourable Minister of Indian Affairs and Northern Development.

Hon. Jim Prentice: Mr. Speaker, as I've indicated previously there is a very comprehensive agreement that was arrived at between the government of Canada and the Assembly of First Nations. It is several hundred pages in length. It deals in specific with the truth and reconciliation commission, with advanced payments, with all of the matters which have been negotiated. An apology did not form part of the contractual provisions at that time, Mr. Speaker. We will carry on and we will implement the agreement as it has been negotiated.

The Speaker: The Honourable member for Nanaimo--Cowichan.

Jean Crowder (ndp): Mr. Speaker, even the conservatives' independent blue ribbon panel disputes the \$10 billion figure the Minister likes to toss out. Enough is enough and the truth must be told. The \$10 billion includes millions in lawyers' fees to fight legitimate land claims and every single dollar that it takes to run this Minister's department. When will the Minister stop misleading Canadians on how much money actually ends up in the hands of First Nations people? And why does this conservative government continue the pattern of discrimination against First Nations?

The Speaker: The Honourable Minister of Indian Affairs and Northern Development.

Hon. Jim Prentice: Mr. Speaker as I've indicated in the House previously the \$10 billion represents all the expenditures within the government of Canada across departments on Aboriginal programs, services, negotiations and the like. My friend I think should be fair in pointing out that a fairly modest amount of that money is spent on the government itself, on bureaucracy on the civil service. The lion's share of the money makes its way through to Aboriginal People. The vast lion's share it was makes its way through to on-reserve people. There is \$10.2 billion. This is a billion dollars more than any previous budget of any previous government Canada, Mr. Speaker.



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

Tuesday, May 1, 2007



Speaker: The Honourable Peter Milliken



# HOUSE OF COMMONS

Tuesday, May 1, 2007

The House met at 10 a.m.

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Prayers

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## ROUTINE PROCEEDINGS

œ(1005)

[English]

### COMMITTEES OF THE HOUSE

#### INTERNATIONAL TRADE

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on International Trade in relation to Canada's trade policy. Pursuant to Standing Order 109, a government response is requested.

\* \* \*

#### CANADIAN SUSTAINABILITY ACT

Mr. Peter Julian (Burnaby—New Westminster, NDP) moved for leave to introduce Bill C-437, An Act to develop and implement a National Sustainable Development Strategy, create a Green Fund to assist in its implementation and adopt specific goals with respect to sustainable development in Canada, and to make consequential amendments to another Act.

He said: Mr. Speaker, I am pleased to be seconded in the introduction of Bill C-437, the new national sustainability act, by the member for Hamilton Mountain, who is a long time environmentalist and is very active in the environmental movement. I am happy that she is supporting me in this endeavour.

The proposed national sustainability act draws on the work of Dr. David Suzuki and the Suzuki Foundation. He put together, working in close collaboration with environmentalists who work for his foundation, what is essentially a blueprint for how with a national sustainability strategy we can have an overall environmental component to all governmental policies.

This bill for a national sustainability act talks about comprehensive national sustainability goals, measurable targets and the preparation of a single, integrated national sustainable development strategy. It would include the appointment of a cabinet committee on sustainable development and also would ensure and bolster the work of the Commissioner of the Environment and Sustainable Develop-

ment. This bill for a national sustainability act essentially takes us light years forward in having environmental policy as part and parcel of all of governmental plans.

It is not surprising that this bill comes from the NDP. The NDP has shown environmental leadership through our leader, the member for Toronto—Danforth and, as a result, this is another component to the overall thrust of the NDP to put the environment first and foremost in this Parliament.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

### PETITIONS

#### CANADIAN FORCES

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have the honour to present a petition signed by 4,179 Prince Edward Islanders concerned about events relating to friendly fire incidents in Afghanistan. Because of the nature of these unfortunate incidents, the integrity, professionalism and reputation of members of the Canadian Forces have been called into question.

Therefore, the petitioners call upon the minister and the Prime Minister to take immediate action to ensure that members of our Canadian Forces be given the full respect they deserve, that they are not treated as common criminals, and that all efforts be made by the Canadian government to protect the reputation, livelihood and mental health of those individuals when such incidents occur.

#### LITERACY

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to table two petitions today on behalf of my constituents of Hamilton Mountain. The first petition is especially timely, as I had the opportunity on Saturday to participate in the regional spelling bee organized by the Afro-Canadian Caribbean Association in my hometown of Hamilton.

The petitioners are in support of a bill I had the privilege of seconding last year, Bill C-276, An Act to amend the Excise Tax Act (literacy materials), which was brought forward by my good friend the NDP finance critic and member for Winnipeg North. The petitioners share our belief that literacy is a necessity and therefore must not be subject to taxes.

### Business of Supply

In our knowledge-based economy, the bar is constantly being raised higher on the basis of skills needed to access decent jobs, to function in daily tasks, and to participate in social and political life. Despite our technical sophistication, nearly 50% of Canadians still have difficulty working with words and numbers. It is in everyone's interest to raise Canadian literacy rates. For many Canadians, the added cost of the GST can be a real impediment. There are far too many barriers to literacy already.

The petitioners point out that removing the GST on books and audiovisual materials for literacy training in fact complements existing tax relief given to organizations that conduct literacy work. They call on Parliament to immediately pass Bill C-276.

œ(1010)

### EXCISE TAX ACT

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the second petition deals with another bill that I had the privilege of seconding last year, Bill C-275. The petitioners share my belief that taxes on feminine hygiene products are discriminatory. Charging GST on feminine hygiene products clearly affects women only. It unfairly disadvantages women financially solely because of our reproductive role.

The petitioners know that this would benefit all Canadian women at some point in their lives and would be of particular value to women with lower incomes. If a proper, gender-based analysis had been done when the GST was introduced, this discriminatory aspect of the tax would never have been implemented. The petitioners urge Parliament to remove the tampon tax by giving speedy passage to Bill C-275.

### SENIORS

Mrs. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have two petitions for the Government of Canada regarding seniors. The signatories wish to remind their government that the unification of seniors with their families through immigration is a core aspect of forming strong and vibrant families and communities. Newcomer seniors currently suffer discriminatory eligibility criteria within Canada's income security program. For example, there is a one year residency for some, while others have a 10 year requirement. Canada's old age security, guaranteed income supplement and social assistance programs are age, capacity and needs-based programs, not individual contribution-based income security plans.

The petitioners call upon the government to amend the Old Age Security Act, regulations and policies to eliminate the 10 year residency requirement for OAS and GIS; waive the enforcement of sponsorship obligations through government cost recovery schemes as a condition of financial support of genuine immigration breakdown involving a senior; establish a nominal public transit charge for all seniors in Canada, like the \$45 per year charge for B.C. seniors; and provide government funding to support more ethno-specific affordable housing for seniors who need and desire it. I support this petition.

The Speaker: The hon. member knows that whether she supports a petition or not is irrelevant and that she is not supposed to indicate that in the course of presentation of petitions. I would urge her to comply with the rules the next time she does this.

The hon. member for Vegreville-Wainwright.

### AGE OF CONSENT

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am proud to present, on behalf of the good people of Lloydminster, a petition which states that the protection of children from sexual predators must be a top priority of the government. They note that studies show that 14 year olds and 15 year olds are the most vulnerable to exploitation, including recruitment from pimps.

The petitioners call on Parliament to enact through the Criminal Code an act to protect these vulnerable members of our society, and they ask that this Parliament raise the age of sexual consent from 14 years to 16 years of age to help protect our most vulnerable.

### CHILD CARE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is with pride that I present a petition in some numbers from the people of the great city of Prince Rupert, British Columbia. The petitioners call on the government to rectify the drastic and increasing shortage of child care spaces in this country. The petitioners draw the attention of the House to the fact that there is a critical shortage of affordable quality child care spaces in Canada and that parents cannot work or pursue educational opportunities without child care. This is a strong petition that communities across our great land have been receiving, particularly the northwest.

\* \* \*

### QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

## GOVERNMENT ORDERS

œ(1015)

[English]

### BUSINESS OF SUPPLY

#### OPPOSITION MOTION—INDIAN RESIDENTIAL SCHOOLS (Excerpt for Appendix C)

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, in beginning I dedicate my words to something that has previously been written in this country by one of my favourite authors, Aritha van Herk in the book, *Mavericks*, where she wrote:

Demolished by diseases like smallpox and tuberculosis, struggling with byzantine and ridiculous rules, fighting to stay alive, Alberta's First Peoples have enacted an astonishing feat by refusing to fade away and vanish. For all the deliberate or accidental attempts to erase their presence—

I thank the hon. member for bringing this matter before the House today. I hope in my comments to raise our discussion beyond partisanship to frame a debate that will carry Parliament and indeed

this country beyond partisanship and the pointing of accusations. For the sake of all of us, for the sake of Canada, I hope that we can all rise to the level of that requirement. I hope that we all avoid crossing the line. In dealing with this sad chapter of Canadian history, we will all require that. Both aboriginal and non-aboriginal Canadians will require that we do that. At the end of the day, the truth and reconciliation commission that is so fundamental to the process in which we are now engaged will require us as parliamentarians to rise to that level.

I observe, as Archbishop Desmond Tutu did in a previous context, that neither genuine repentance nor atonement on the one hand, nor forgiveness on the other is possible in the shadow of partisanship.

I begin therefore by saying that the government will support the motion of the hon. member for Desnethé—Missinippi—Churchill River. The House should apologize and I am confident at the end of the day that this House will apologize.

The obligations on the other hand of the executive branch of government tied inextricably to the terms of the residential schools agreement and to the eventual results of the truth and reconciliation commission require some discussion in the House. I propose to deal with that in my comments.

It is important that the historical record reflect accurately upon this matter. I have not been in the House for much of my life, but I have been here for three years at this point. I am somewhat taken aback at how quickly revisionism has taken over what has transpired with respect to the residential schools matter. While partisanship can be forgiven in that I suppose all members of the House from time to time seek refuge there, the revision of Canadian history is an entirely different matter which I am not prepared to countenance in this House.

It is this government that brought an end to the denials of the past. It is this government that executed on May 8, 2006 the residential schools agreement, negotiated after much effort with the lawyers involved on behalf of the Assembly of First Nations, the class action plaintiffs representing some 12,000 individuals in this country, the Assembly of First Nations and the churches of Canada.

An apology on the part of the House of Commons is necessary and the truth and reconciliation commission, of which I intend to speak, will deal with this in some detail. However, as we begin, I have been reading a book entitled *A National Crime* by John Milloy. In asking why the House of Commons should apologize, I would simply quote from the introduction, which in part is a conclusion of the book. Mr. Milloy asks:

How did this happen? How were responsibility and Christianity perverted?

He concludes as follows:

—one conclusion becomes unavoidable: despite the discourse of civil and spiritual duty that framed the school system, there never was invested in this project the financial or human resources required to ensure that the system achieved its “civilizing” ends or that children were cared for properly. Nor was there ever brought to bear the moral resources necessary to respond to systemic neglect or to the many instances of stark physical abuse that were known to be occurring. Furthermore, it is clear that throughout the history of the system, the church-state partners were aware of these sorrowful circumstances and, moreover, that they came to understand the detrimental repercussions for all Aboriginal children of their residential school experience.

œ(1045)

That in summation encapsulates what we will probably hear more of from the truth and reconciliation commission over time.

All of this began in Canada many years ago. This school system was conceived in the period leading up to 1892, was brought to fruition in the years thereafter and was not entirely dismantled in this country until the last 1970s.

The apportionment of blame and responsibility in that context is one in which many Canadian governments have a responsibility to share. This system was conceived and carried forward under successive Canadian governments for close to 100 years, so it is part of our collective history. This sad chapter of what happened in our country is something that we will collectively need to come to grips with and, to return to my comments, it is something that we will only come to grips with if we do so in a fair way, without accusations, recriminations, and without the pointing of fingers in that respect. The truth and reconciliation commission, which I wish to speak to at this point, will be fundamental to all of that.

The history of this matter is that there were approximately 130 residential schools in this country operated by four major church denominations, the Anglicans, the Presbyterians, the United church and the Catholic church. The total attendance at these schools was over 150,000 aboriginal Canadians. There are 80,000 aboriginal Canadians alive today who attended these schools. The descendants of those people number somewhere between 250,000 and 350,000 Canadians.

In 1990, the first lawsuits were filed against the Government of Canada in respect of this matter. In 1998, as my friend has pointed out, in a statement of reconciliation Canada acknowledged its role in the Indian residential school system. In 1998, much was accomplished with the creation of the Aboriginal Healing Foundation,

## Business of Supply

which had a \$350 million endowment and \$40 million in additional funding provided thereafter. This foundation administered in excess of 1,300 individual community projects to come to grips with this chapter in Canadian history.

In 2003, a national resolution framework was launched to contribute to reconciliation but at that time the matter continued to move forward in this country by way of litigation, class action lawsuits between first nation claimants and the Government of Canada. At that time, an alternate dispute resolution was put in place.

In the 38th Parliament of Canada, which is where I am concerned about some of the revisionist history that has taken place here, the Conservative Party was in opposition. I would point out for the record, for posterity if I may, that the Conservative Party not only has led the way on this matter by finalizing the agreement of May 8, 2006, but the Conservative Party, together with the other opposition parties in the House of Commons at that time, fundamentally drove the process that led to the residential school agreement.

One need look no further than the report of the Standing Committee on Aboriginal Affairs and Northern Development, which was finalized on April 7, 2005 with the cooperation of the then opposition parties in the House of Commons, the Bloc, the NDP and the Conservative Party. At the end of the day, it was opposed by the Liberal government, opposed by the Liberals at committee and during a concurrence motion that passed by one vote in this House of Commons. If we wish history to be clear, one need only look at the report of the Standing Committee on Aboriginal Affairs and Northern Development of April 7, 2005.

At that time, the state of affairs in this country was that we had an alternate dispute resolution process which had been the subject of continuing pressure and questioning in question period because it had been disclosed that of every dollar spent in dealing with the claims of people who had been wronged by the residential school system, 80¢ was spent on bureaucracy, civil servants, lawyers, experts, adjudicators and only 20¢ made its way through to the victims of this sad chapter in Canadian history.

œ(1050)

At one point it was a celebrated case that disclosed these facts. The system was so hamstrung with rules that an elderly woman in her eighties had taken her ADR case forward and it turned out that her allegation of physical cruelty was that she had been confined in a closet, as I recall, for three days with her sister. Her claim was disallowed on the basis that she had not been confined solitarily. That is the sort of thing that was going on only three years ago in this country before this government concluded this agreement.

The April 7, 2005 report of the standing committee left nothing to the imagination. It documented the failings of the process at that time, the absence of any even-handed process; the absence of adequate compensation, terming the compensation to be grossly inadequate; documenting that “the process was proceeding too slowly allowing too many former students to die uncompensated”; and that it used a dispute resolution process that was disrespectfully humiliating and unfeeling and which revictimized former students.

### Business of Supply

I recall being in committee when members of the Conservative Party pointed out to the government at that time that they had never in their time in the House of Commons as members of Parliament heard testimony as moving as what they heard in the work leading up to this report.

It was pointed out at that time that there were high structural costs and an egregious burden of proof and that it was a process that students did not trust. The committee, at the end of the day, in a report that was quite straightforward and was three pages in length, expressed its regret at the manner in which the alternate dispute resolution process was being administered and provided eight very straightforward recommendations at that time.

The first was that the government proceed with urgency. The second was that it terminate the alternate dispute resolution process. The third was this. If one wants to find the source of the residential school agreement that today provides some hope for this country and some reconciliation of where we are going to go, it lies in the third recommendation of the report, which is as follows:

That the Government engage in court-supervised negotiations with former students to achieve a court-approved, court-enforced settlement for compensation that relieves the Government of its liability for those former students who are able to establish a cause of action and a lawful entitlement to compensation.

For the first time, a recommendation from the House of Commons, approved in a concurrence proceeding, that there be court supervised negotiations with former students, court approved and a court enforced settlement. At the end of the day that is exactly what this government did on May 8, 2006.

In addition, there were comments with respect to legal fees. A recommendation was made that there be an expedited settlement of those claims involving aggravated circumstances, such as sexual and severe physical abuse. Again, at the end of the day that is precisely where this government has arrived at.

However, I wish to emphasize in particular Recommendation No. 6:

That the Government, to ensure that former students have the opportunity to tell their stories to all Canadians in a process characterized by dignity and respect, cause a national truth and reconciliation process to take place in a forum that validates the worth of the former students and honours the memory of all children who attended the schools.

Therein lies of the birth of that concept as a way forward for this country. It is a concept that I feel strongly about. A little known matter in this House is that I spent some time in South Africa in the days after apartheid as South Africa moved from apartheid to its current form. I was a constitutional adviser to an organization there that was dealing with the dismantlement of the apartheid structure.

œ(1055)

I watched as the truth and reconciliation commission that was struck in South Africa unfolded. I watched how it assisted South Africa in coming to grips with a very sad chapter of its history. I became a believer in the importance of that kind of an approach as a method for this country to come to grips with the sad chapter of Canadian history, a forum that would allow all Canadians, but in particular first nations citizens who had been victimized by this process, an opportunity and a way to come forward to tell their stories to ensure that their stories were recounted and recorded in Canadian history and a method, at the end of the day, for all of us to

come to grips with a chapter in Canadian history that belongs to no single party, to no single government, but to all of us as Canadians as a result of 100 years of history.

In the days following that, Mr. Frank Iacobucci, a former justice of the Supreme Court of Canada, was appointed as the government's representative and the search for a court supervised settlement process began and an interim agreement was announced, as I recall, on November 23, 2005, having been concluded on November 20, 2005.

That, of course, was in the shadow of the election of December 2005. During the election, the Conservative Party indicated at that time that it would be supportive of such an agreement provided two conditions were met. The first was that the final agreement needed to be concluded, and the second was that court approval needed to be secured. Neither of those steps had been taken in February 2006 when the Conservative government was elected.

I can assure the House that although the residential school matter was not, strictly speaking, the responsibility of the Minister of Indian Affairs, in the days following the formation of the government, responsibility rested elsewhere in the government. I took the completion of this agreement very seriously and I can tell the House there were extensive meetings in my office with Mr. Justice Iacobucci and Mr. Phil Fontaine with the Assembly of First Nations and we struggled to bring this to a close. We struggled to bring the resolution of the terms of the agreement such that it could be taken forward for a court approved process.

There were extensive negotiations dealing with a number of outstanding difficult questions at that time: how to arrive at a final agreement, how to ensure adequate financial provisions were made in budgetary sense for this agreement and how to arrive at an agreement that would be in the best interests of all Canadians. The Minister of Canadian Heritage, I should say for the sake of the record, was very involved in this at that time.

At the end of the day, the agreement that has been concluded required extensive work over the last year to complete. The court process involved proceeding forward with nine jurisdictions to secure court approval. That process is not entirely finished at this stage. It has been approved by all nine jurisdictions but the terms of the agreement provide for an opt out period. The essence of the opt out period is that if an adequate number of first nations claimants decide that they do not wish to be part of this agreement, then the agreement is voidable at the option of the government. Therefore, the legal process is not yet completed and is moving forward.

The agreement, as everyone knows, is a very fair and generous agreement, one which I take immense personal satisfaction in as a Canadian in seeing come to fruition and one in which this government takes pride. It provides, importantly, for a truth and reconciliation commission that will be established together with a research centre with a budget of \$60 million and a five year mandate. The government is currently engaged in the process of selecting the three commissioners, one of whom must be an aboriginal Canadian

It is my sincere hope, as happened in South Africa, that this matter will be dealt with, that the whole issue of apologies, the whole issue of how this country is to find a way forward will be dealt with by the truth and reconciliation commission, that it will be dealt with in a manner that speaks to the dignity and the integrity of the Canadian people in wanting to come to grips with this chapter of our history, and that the executive branch of government will need to see that document because the full history of this will not be disclosed. We will not have explored the full depths of the history of the residential school agreement of this chapter of Canadian history until the work of that commission has finished.

œ(1100)

Published under the authority of the Speaker of the House of Commons

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# Strong Leadership. A Better Canada.

Speech from the Throne

October 16, 2007



Government  
of Canada

Gouvernement  
du Canada

Canada





Honourable Senators,  
Members of the House of Commons,  
Ladies and Gentlemen,

I would like to address the first words in this chamber to the members of the Canadian Forces, some of whom are present here today. Their commitment and courage in the name of justice, equality and freedom—whose benefits are not accorded to all peoples in the world—are worthy of our utmost respect.

The Speech from the Throne is an important moment in our country's democratic life. Through the Speech from the Throne, the Government shares its vision with Canadians. And it is thus that we open the Second Session of the Thirty-Ninth Parliament today.

Fifty years ago, on October 14, 1957, during her first visit to Canada as its Sovereign, and for the first time in Canadian history, Her Majesty Queen Elizabeth II opened the First Session of the Twenty-Third Parliament.

This room is filled with history, and we mark history again this year as we celebrate a number of anniversaries. I think, in particular, of the bicentenary of the *Abolition of the Slave Trade Act* in the British Empire. I also think of the 60th anniversary of the adoption of the *Citizenship Act* on January 1, 1947. And I think of the 40th anniversary of the Order of Canada, whose one hundredth investiture ceremony we will soon be celebrating at Rideau Hall.

And although Canada is a young country, its history is marked by our unwavering willingness—which I was touched to see all across Canada—to be and to continue to be a generous society. A society that is concerned about the well-being of others. A society that is protective of the spirit of this bountiful land, a deep respect learned from Aboriginal peoples. A society that is committed to finding solutions to today's challenges. A society that is open to creation and quick to innovate. A society that is filled with young people who have an unprecedented openness to the world.

Excerpt for Appendix C

## **Strengthening the Federation and our Democratic Institutions**

Next year we mark important anniversaries spanning our country and its history. We will celebrate the 400th anniversary of the founding of Quebec City. Canada was born in French, reflected in the presence of francophones throughout Canada, and in Parliament's recognition that the Québécois form a nation within our united country. We will also celebrate the 250th anniversary of the establishment of Nova Scotia's representative assembly, which marks the birth of Canadian parliamentary democracy, and the 150th anniversary of the founding of the Crown Colony of British Columbia.

John A. Macdonald, George-Étienne Cartier and the other Fathers of Confederation brought many peoples and regions together to create a federation that has served Canadians well for 140 years. Our Government is committed to strengthening that union: it has concentrated on its national role by reinvesting in neglected federal responsibilities, such

as trade, defence, public safety and security. It has put fiscal relations with provinces and territories on a principled basis and increased the level of transfers to support quality health care and social services.

Our Government believes that the constitutional jurisdiction of each order of government should be respected. To this end, guided by our federalism of openness, our Government will introduce legislation to place formal limits on the use of the federal spending power for new shared-cost programs in areas of exclusive provincial jurisdiction. This legislation will allow provinces and territories to opt out with reasonable compensation if they offer compatible programs.

Our Government will also pursue the federal government's rightful leadership in strengthening Canada's economic union. Despite the globalization of markets, Canada still has a long way to go to establish free trade among our provinces. It is often harder to move goods and services across provincial boundaries than across our international borders. This hurts our competitive position but, more importantly, it is just not the way a country should work. Our Government will consider how to use the federal trade and commerce power to make our economic union work better for Canadians.

Canadians understand that the federation is only as strong as the democratic institutions that underpin it. Our Government believes that Canada is not well served by the Senate in its current form. To ensure that our institutions reflect our shared commitment to democracy, our Government will continue its agenda of democratic reform by reintroducing important pieces of legislation from the last session, including direct consultations with voters on the selection of Senators and limitations on their tenure. In addition, the integrity of our federal voting system will be

Further strengthened through measures to confirm the visual identification of voters.


Our Government supports Canada's linguistic duality. It will renew its commitment to official languages in Canada by developing a strategy for the next phase of the Action Plan for Official Languages.

Our Government remains committed to improving the lives of Canada's Aboriginal people. The Government will reintroduce legislation to guarantee to people living on reserve the same protections other Canadians enjoy under the *Canadian Human Rights Act*. Our Government will also present legislation on specific claims, which will finally bring fairness and timely resolution to the claims process.

Our Government recently concluded a final settlement on Indian Residential Schools and will launch a commission for truth and reconciliation. The Prime Minister, on behalf of our Government, will use this occasion to make a statement of apology to close this sad chapter in our history.



## Minister Strahl Announces Date Set For Indian Residential School Apology

 The following information is out of date.

### Archived Content

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**Ottawa (May 15, 2008)** - The following statement was released today by the Honourable Chuck Strahl, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, concerning the Federal Government's apology to former students of Indian Residential Schools:

"I am pleased and very proud to announce that the Prime Minister, the Right Honourable Stephen Harper, on behalf of the Federal Government and all Canadians, will make a statement of apology to former students of Indian Residential Schools on June 11 in the House of Commons.

Thousands of former students and National Chief Phil Fontaine of the Assembly of First Nations, who is a former student of a residential school, have been calling for a formal apology from the Government of Canada for a number of years. Our Government shares their view that the apology is a crucial step in the journey towards healing and reconciliation.

With the Settlement Agreement and the Indian Residential Schools Truth and Reconciliation Commission, I am hopeful that the apology will help turn the page from the sad legacy of Indian Residential Schools and open a new chapter - one that is founded on renewed hope, faith, mutual respect and trust.

This will be a chapter that all Canadians can feel proud of."

**For further information please contact:**

**Minister's Office**

Press Secretary  
Office of the Honourable Chuck Strahl  
[819-997-0002](tel:819-997-0002)

**Media Relations**

Indian and Northern Affairs Canada  
[819-953-1160](tel:819-953-1160)

## Appendix D

### *Documents from ATI request*



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# Questions and Answers

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## *Indian Residential Schools Apology*

**Q1. Will the Government apologize to former students of Indian Residential Schools?**

- A1. The Government recognizes the importance of achieving fair and lasting resolution to the Indian Residential Schools legacy, and moving forward in partnership with Aboriginal communities across Canada. To this end, the Government supported the motion debated in the House of Commons on May 1, 2007 which called on the House to apologize for the sad legacy of Residential Schools.

In the October 16, 2007 Speech from the Throne, it was stated that “Our government recently concluded a final settlement on Indian residential schools and will launch a commission for truth and reconciliation. The Prime Minister on behalf of our government will use this occasion to make a statement of apology to close this sad chapter in our history.”

**Q2. Why has the Government not apologized for the legacy of Indian Residential Schools in the past?**

- A2. Addressing the legacy of Indian Residential Schools has gone through a number of stages. During each of these stages there were a number of considerations to be made with regard to issuing an apology to former students of Residential Schools. These include:

**Pre- May 30, 2005**

- Prior to the initiation of the Settlement Agreement negotiations, the Government was heavily involved in over 12,000 litigation regarding Residential Schools. An apology would have potentially exposed the Government to increased legal liability, and may have lead to the initiation of additional lawsuits.

- Furthermore, in January 1998, as a response to the Royal Commission on Aboriginal People, then Minister of Indian Affairs and Northern Development issued a “Statement of Reconciliation” acknowledging the wrongs which occurred in Residential Schools. This was widely acknowledged as an apology.

**May 30, 2005 – March 2007**

- During this time period, the Indian Residential Schools Settlement Agreement was being negotiated by all parties, approved by the Government, and approved by the courts. It would have been pre-mature and inappropriate to issue an apology while negotiations and approvals of the Settlement Agreement were on-going.

**March 2007 – September 2007**

- Although the Settlement Agreement had been negotiated and approved by this point, the opt-out period still need to pass in order for implementation to occur on September 19, 2007. Apologizing during this time period would have exposed the Government to the same legal liability as outlined above.
- During this time-period, then Minister of Indian Affairs Jim Prentice emphasized that the Truth and Reconciliation Commission would investigate further the issue of an apology and provide recommendations in its final report.



## Appendix E

### *Letters from the Government of Canada Re: ATI Requests*



Affaires autochtones et  
Développement du Nord Canada

Aboriginal Affairs and  
Northern Development Canada

Access to Information and Privacy Directorate  
Ottawa, Ontario K1A 0H4

Telephone : (819) 997-8277 - Facsimile: (819) 953-5492  
ATIP-AIPRP@aadnc-aandc.gc.ca

Your file      Votre référence

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A-2012-01922 / JL2

04 AVR. 2013

Ms. Alexandra Hill  
18 Yonge Street, Apartment 1513  
Toronto, Ontario  
M5E 1Z8

Dear Ms. Hill:

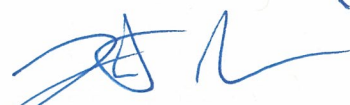
This letter is to acknowledge receipt of your request pursuant to the *Access to Information Act*, and application fee, on March 21, 2013, for:

***"Communications materials related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, including: minutes of meetings during which the plan for an official apology was discussed, and communications plans for the creation of the official apology and the apology event. These documents are being requested for the purpose of research project as partial completion of a Master of Communication Degree."***

Please be advised that you are entitled to submit a complaint to the Information Commissioner for Canada concerning the processing of your request within 60 days of the receipt of this letter. In the event that you decide to avail yourself of this right, your notice of complaint should be addressed to: Place de Ville, Tower B, 112 Kent Street, 7th Floor, Ottawa, Ontario, K1A 1H3.

Should you have any questions regarding your request, you may contact James Larkin at 819-997-1832. Please quote file number A-2012-01922 / JL2 in any correspondence.

Yours sincerely,

for   
Kent Daniel Glowinski  
A/Director  
Access to Information and Privacy Directorate

Canada

Access to Information and Privacy Secretariat  
10 Wellington Street  
Room 517  
Gatineau, QC  
K1A 0H4  
Fax: 819-953-5492

## FEE STATEMENT

A-2012-01922 / JL2

To: Ms. Alexandra Hill  
18 Yonge Street, Apartment 1513

Date: March 26, 2013

Toronto, Ontario  
M5E 1Z8

Date	Description	Unit Cost	Quantity	Charge	Payment
2013-03-26	Payment Received		0.00	\$0.00	\$5.00
2013-03-26	Application Fee		0.00	\$5.00	
Balance Owing:					\$0.00

#005



Affaires autochtones et  
Développement du Nord Canada

Aboriginal Affairs and  
Northern Development Canada

Access to Information and Privacy Directorate  
Ottawa, Ontario K1A 0H4

Telephone : (819) 997-8277 - Facsimile: (819) 953-5492  
ATIP-AIPRP@aadnc-aandc.gc.ca

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Our file      Notre référence

A-2012-01924 / JL2

04 AVR. 2013

Ms. Alexandra Hill  
Apartment 1513-18 Youge Street  
Toronto, Ontario M5E 1Z8

Dear Ms. Hill:

This letter is to acknowledge receipt of your request pursuant to the Access to Information Act, and application fee, on March 26, 2013, for:

*"Email correspondence related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, particularly emails related to communications planning and initiatives."*

*"These documents are being requested for the purpose of research project as partial completion of a Master of Communication Degree. Please provide a schedule of records with the response to this request. Please provide an estimate of cost associated with this request before proceeding with copies."*

Please be advised that you are entitled to submit a complaint to the Information Commissioner for Canada concerning the processing of your request within 60 days of the receipt of this letter. In the event that you decide to avail yourself of this right, your notice of complaint should be addressed to: Place de Ville, Tower B, 112 Kent Street, 7th Floor, Ottawa, Ontario, K1A 1H3.

Should you have any questions regarding your request, you may contact James Larkin at 819-997-1832. Please quote file number A-2012-01924 / JL2 in any correspondence.

Yours sincerely,

for 

Kent Daniel Glowinski  
A/Director  
Access to Information and Privacy Directorate

Canada

Access to Information and Privacy Secretariat  
10 Wellington Street  
Room 517  
Gatineau, QC  
K1A 0H4  
Fax: 819-953-5492

## FEE STATEMENT

A-2012-01924 / JL2

To: Ms. Alexandra Hill  
Apartment 1513-18 Youge Street  
Toronto, Ontario  
M5E 1Z8

Date: March 26, 2013

Date	Description	Unit Cost	Quantity	Charge	Payment
2013-03-26	Application Fee		0.00	\$5.00	
2013-03-26	Payment Received		0.00	\$0.00	\$5.00
Balance Owing:					\$0.00

*Cheque # 003*





Affaires autochtones et  
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Aboriginal Affairs and  
Northern Development Canada

Access to Information and Privacy Directorate  
Ottawa, Ontario  
K1A 0H4

Facsimile: (819) 953-5492

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Our file      Notre référence

**APR 19 2013**

A-2012-01922 / ES

Ms. Alexandra Hill  
18 Yonge Street, Apartment 1513  
Toronto, Ontario M5E 1Z8

Dear Ms. Hill:

This is further to your request under the *Access to Information Act* for:

***"Communications materials related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, including: minutes of meetings during which the plan for an official apology was discussed, and communications plans for the creation of the official apology and the apology event. These documents are being requested for the purpose of research project as partial completion of a Master of Communication Degree."***

**CLARIFICATION**

***"Records from 2006 TO 2008"***

Enclosed you will find the final package of records that responds to this request. You will note that some information has been withheld from disclosure pursuant to subsection 19(1) of the *Act*. A copy of this section of the *Act* is enclosed for your information.

Please note that you provided two checks for 5 dollars, so we are returning the second one received to you.

Please be advised that you are entitled to submit a complaint to the Information Commissioner for Canada concerning the processing of your request within 60 days of the receipt of this letter. In the event that you decide to avail yourself of this right, your notice of complaint should be addressed to: Place de Ville, Tower B, 112 Kent Street, 7th Floor, Ottawa, Ontario, K1A 1H3.

Do not hesitate to contact Erin Scheel at 819-934-2376 who will be pleased to address any concerns or questions you may have regarding this matter.

Yours sincerely,

Kent Daniel Glowinski  
A/Director  
Access to Information and Privacy Directorate  
Encl.:

**Canada**

#### 19(1) PERSONAL INFORMATION

19. (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Act that contains personal information as defined in section 3 of the Privacy Act.

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Affaires autochtones et  
Développement du Nord Canada

Aboriginal Affairs and  
Northern Development Canada

*Access to Information and Privacy Directorate  
Ottawa, Ontario  
K1A 0H4*

*Facsimile: (819) 953-5492*

*Your file      Votre référence*

*Our file      Notre référence*

APR 25 2013

A-2012-01924 / ES

Ms. Alexandra Hill  
Apartment 1513-18 Youge Street  
Toronto, Ontario M5E 1Z8

Dear Ms. Hill:

This is further to your request under the *Access to Information Act* for:

***“Email correspondence related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, particularly emails related to communications planning and initiatives.***

***These documents are being requested for the purpose of research project as partial completion of a Master of Communication Degree. Please provide a schedule of records with the response to this request. Please provide an estimate of cost associated with this request before proceeding with copies.***

#### **CLARIFICATION**

##### ***Records from 2006 TO 2008”***

Enclosed you will find the Final package of records that respond to this request. You will note that some information has been withheld from disclosure pursuant to sub-section 19(1), paragraphs 21(1)(a), and 20(1)(b) of the *Act*. A copy of the sections of the *Act* is enclosed for your information.

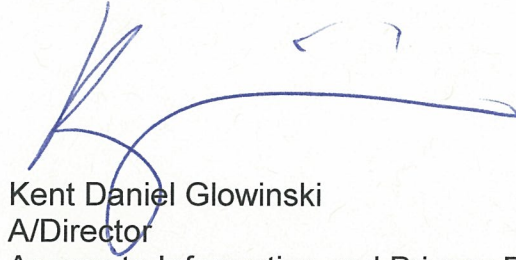
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Canada



Do not hesitate to contact Erin Scheel at 819-934-2376 who will be pleased to address any concerns or questions you may have regarding this matter.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a long horizontal stroke that curves upwards at the end.

Kent Daniel Glowinski  
A/Director  
Access to Information and Privacy Directorate

Encl.:

#### 19(1) PERSONAL INFORMATION

19. (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Act that contains personal information as defined in section 3 of the Privacy Act.

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#### 21(1)(a) ADVICE OR RECOMMENDATIONS

(b) an account of consultations or deliberations in which directors, officers or employees of a government institution, a minister of the Crown or the staff of a minister participate,

---

#### 21(1)(b) CONSULTATIONS OR DELIBERATIONS

(b) an account of consultations or deliberations involving officers or employees of a government institution, a minister of the Crown or the staff of a minister of the Crown,

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#### 20(1)(b) FINANCIAL, COMMERCIAL, SCIENTIFIC OR TECHNICAL INFORMATION GIVEN IN CONFIDENCE TO THE GOVERNMENT AND TREATED IN A CONSISTENTLY IN A CONFIDENTIAL MANNER BY THE THIRD PARTY

(b) financial, commercial, scientific or technical information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party;

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Affaires autochtones et  
Développement du Nord Canada

Aboriginal Affairs and  
Northern Development Canada

*Access to Information and Privacy Directorate  
Ottawa, Ontario  
K1A 0H4*

*Facsimile: (819) 953-5492*

*Your file      Votre référence*

*Our file      Notre référence*

A-2012-01924 / ES

**MAY 14 2013**

Ms. Alexandra Hill  
Apartment 1513-18 Youge Street  
Toronto, Ontario M5E 1Z8

Dear Ms. Hill:

This is further to our final response, dated April 25, 2013, to your request under the *Access to Information Act* for:

***“Email correspondence related to the Statement of Apology  
- to former students of Indian Residential Schools  
presented by Prime Minister Stephen Harper on June 11,  
2008, particularly emails related to communications  
planning and initiatives.”***

**CLARIFICATION**

***“Records from 2006 TO 2008”***

Please note that we are providing you with a second package of records responding to your request. Some of the information is withheld under subsection 19(1) of the *Act* (a copy of this section of the *Act* is enclosed).

Do not hesitate to contact Erin Scheel at 819-934-2376, who will be pleased to address any concerns or questions you may have regarding this matter.

Yours sincerely,



Kent Daniel Glowinski  
A/Director  
Access to Information and Privacy Directorate

**Canada**

## Personal Information

**19.** (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Act that contains personal information as defined in section 3 of the *Privacy Act*.



Government of Canada  
Privy Council Office

Gouvernement du Canada  
Bureau du Conseil privé

Suite 1340, Manulife Place  
55 Metcalfe Street  
Ottawa, Ontario K1A 0A3

Tel: 613-957-5210  
Fax: 613-991-4706

Our file Notre référence -

A-2012-00769 / PF

MAR 26 2013

Ms. Alexandra Hill  
Apartment 1513 - 18 Yonge Street  
Toronto, Ontario  
M5E 1Z8

Dear Ms. Hill:

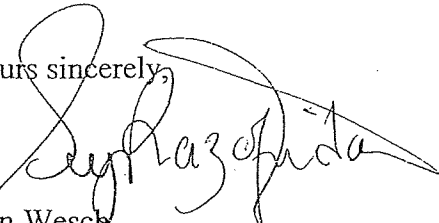
This is to acknowledge receipt of your request under the *Access to Information Act* for the following information:

**“E-mail correspondence related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, particularly emails related to communications planning and initiatives.”**

Your request and application fee were received by the Privy Council Office on March 25, 2013. The legislated due date for your request is April 24, 2013.

Please be assured that this office will contact you, as required, during the processing of your request. Should you have any questions concerning your request, please contact Patrick Farley at 613-948-6578.

Yours sincerely,

  
Ann Wesch  
for Director  
Access to Information and Privacy



Government of Canada  
Privy Council Office

Gouvernement du Canada  
Bureau du Conseil privé

Suite 1340, Manulife Place  
55 Metcalfe Street  
Ottawa, Ontario K1A 0A3

Tel: 613-957-5210  
Fax: 613-991-4706

Our file / Notre référence -

A-2012-00771 / PF

Ms. Alexandra Hill  
Apartment 1513 - 18 Yonge Street  
Toronto, Ontario M5E 1Z8

MAR 27 2013

Dear Ms. Hill:

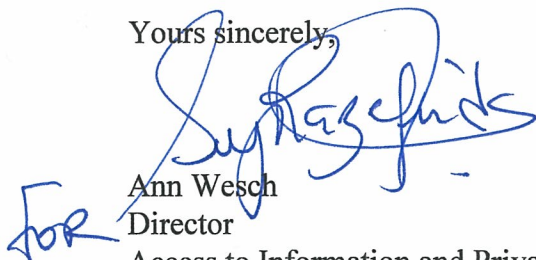
This is to acknowledge receipt of your request under the *Access to Information Act* for the following information:

**“Communications materials related to the Statement of Apology – to former students of Indian Residential Schools presented by the Prime Minister Stephen Harper on June 11, 2008, including: minutes of meetings during which the plan for an official apology was discussed, and communications plans for the creation of the official apology and the apology event”**

Your request and application fee were received by the Privy Council Office on March 25, 2013. The legislated due date for your request is **April 24, 2013**.

Please be assured that this office will contact you, as required, during the processing of your request. Should you have any questions concerning your request, please contact Patrick Farley at 613-948-6578.

Yours sincerely,



Ann Wesch  
Director

Access to Information and Privacy



Government of Canada  
Privy Council Office

Gouvernement du Canada  
Bureau du Conseil privé

Suite 1340, Manulife Place  
55 Metcalfe Street  
Ottawa, Ontario K1A 0A3  
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Fax: 613-991-4706

Our File / Notre référence

A-2012-00771 / PF

Ms. Alexandra Hill  
Apartment 1513 - 18 Yonge Street  
Toronto, Ontario M5E 1Z8

APR 24 2013

Dear Ms. Hill:

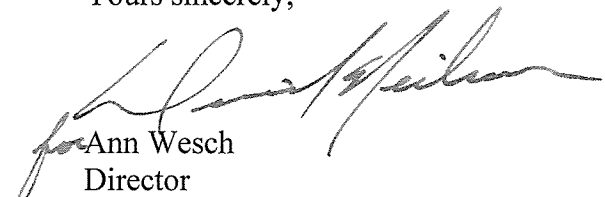
This is in regard to your access request received under the *Access to Information Act* (ATIA) on March 25, 2013 for the following information:

**“Communications materials related to the Statement of Apology – to former students of Indian Residential Schools presented by the Prime Minister Stephen Harper on June 11, 2008, including: minutes of meetings during which the plan for an official apology was discussed, and communications plans for the creation of the official apology and the apology event.”**

In processing your request, we have found it necessary to consult other government institutions. As a result, an extension, under paragraph 9(1)(b) of the ATIA, of up to 90 days beyond the 30-day statutory deadline is required to complete your request. We also note that third party consultations are required. Therefore, an extension beyond the statutory deadline is required under paragraph 9(1)(c) of the ATIA.

Please be advised that you are entitled to bring a complaint regarding the processing of this request to the Information Commissioner (7<sup>th</sup> Floor, 112 Kent Street, Ottawa, Ontario, K1A 1H3). The *Access to Information Act* allows a complaint to be made within sixty days of the receipt of this notice.

Yours sincerely,

  
for Ann Wesch  
Director  
Access to Information and Privacy

c.c.: Information Commissioner

Canada



Government of Canada  
Privy Council Office  
Suite 1340, Manulife Place  
55 Metcalfe Street  
Ottawa, Ontario K1A 0A3  
Tel: 613-957-5210  
Fax: 613-991-4706

Gouvernement du Canada  
Bureau du Conseil privé

Our File Notre référence

A-2012-00769 / PF

Ms. Alexandra Hill  
Apartment 1513 - 18 Yonge Street  
Toronto, Ontario M5E 1Z8

AVR 24 2013

Dear Ms. Hill:

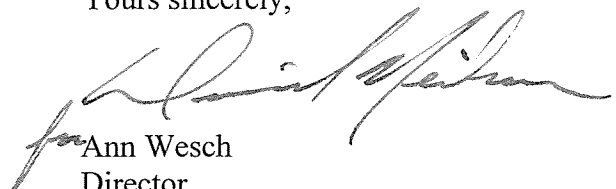
This is in regard to your access request received under the *Access to Information Act* (ATIA) on March 25, 2013 for the following information:

**“E-mail correspondence related to the Statement of Apology - to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, particularly emails related to communications planning and initiatives.”**

In processing your request, we have found it necessary to consult other government institutions. As a result, an extension, under paragraph 9(1)(b) of the ATIA, of up to 90 days beyond the 30-day statutory deadline is required to complete your request. We also note that third party consultations are required. Therefore, an extension beyond the statutory deadline is required under paragraph 9(1)(c) of the ATIA

Please be advised that you are entitled to bring a complaint regarding the processing of this request to the Information Commissioner (7<sup>th</sup> Floor, 112 Kent Street, Ottawa, Ontario, K1A 1H3). The *Access to Information Act* allows a complaint to be made within sixty days of the receipt of this notice.

Yours sincerely,



Ann Wesch  
Director  
Access to Information and Privacy

c.c.: Information Commissioner





Truth and  
Reconciliation  
Commission of Canada

Commission de  
vérité et  
réconciliation  
du Canada

April 3, 2013

Alexandra Hill  
1513 – 18 Yonge Street  
Toronto, ON M5E 1Z8  
[Alexandramary.hill@ryerson.ca](mailto:Alexandramary.hill@ryerson.ca)

Dear Ms. Hill:

This letter acknowledges receipt of your two requests to the Truth and Reconciliation Commission of Canada pursuant to the *Access to Information Act*. You requested “Communications materials related to the Statement of Apology – to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, including: minutes of meetings during which the plan for an official apology was discussed, and communications plans for the creation of the official apology and the apology event.” And “Email correspondence related to the Statement of Apology – to former students of Indian Residential Schools presented by Prime Minister Stephen Harper on June 11, 2008, particularly emails related to communications planning and initiatives.”

The Commission does not have any records that respond to your requests. We suggest and understand that you have already submitted similar requests to the Privy Council Office of Canada and Aboriginal Affairs and Northern Development Canada. We wish you success in your research.

Sincerely,

Maryanne Boulton  
Director of Corporate Services  
Truth and Reconciliation Commission of Canada