




**7th ANNUAL UQAT FIRST NATIONS
SYMPOSIUM:
OCTOBER 28-29, 2009**

**Presentation by the First Nations
Education Council**





Programs and services for Aboriginal students

Pursuing an education of choice

Definition of quality education

The recent report (June 2009) of the UN Expert Mechanism on the Rights of Indigenous Peoples defines quality education as follows:¹

“Quality education may be defined as education that is well resourced, culturally sensitive, respectful of heritage and that takes into account cultural security and integrity, encompasses community and individual development, and is designed in a way that is implementable.”



Presentation outline

- Review of major events in recent First Nations history
- The FNEC:
 - Mission
 - Mandates
 - Accomplishments
- Conclusion

Major events in First Nations history

These events are important for understanding:

- The overall context influencing strongly-held convictions and currents of thought;
- The aspirations of First Nations and the positions defended by their leaders with regard to their rights;
- The underlying and persistent opposition between First Nations' goals and the goals of governments in the dominant society;
- The contradiction and obvious conflict between the immediacy of needs and the rights & goals to be achieved over the long term;
- A poorly informed public's almost total misunderstanding of the claims of First Nations.

The first period following contact (approximately 2 centuries)

- Efforts to make "Indians" good subjects of the French king (evangelization).
- Failure of these efforts and the context of the times led to pragmatism:

⇒ Need for nation-to-nation, military and trade alliances

The British conquest

- 1760: capitulation of Montréal

The House of Lords feared an Indian uprising led by Chief Pontiac; it feared for the future of the colony and for the commercial interests in the colony;

⇒ The House pleaded with the King to calm things down by giving the “Indians” guarantees that they would be safe under British rule

1763: The Royal Proclamation

*“Whereas it is just and reasonable, and essential to our Interest and the Security of our Colonies, that the several **Nations or Tribes of Indians** with whom We are connected, and **who live under our Protection**, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them or any of them, as their Hunting Grounds...*

*Whereas great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the great Prejudice of our Interests, and to the great dissatisfaction of the said Indians: In order, therefore, to prevent such Irregularities for the future, and to the end that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies, where We have thought proper to allow Settlement; but that, **if at any Time any of the Said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for us, in our Name, at some public Meeting or assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie...**”²*

Early 1800s

- The American threat gradually fades
- The fur trade declines
- The threat of war by First Nations fades as well

⇒ The colony no longer needs Indians as soldiers or trading partners **BUT IT NEEDS THEIR LANDS**

Early 1800s (cont.)

- The Royal Proclamation requires the signing of treaties.
- An alternative solution: gradual disappearance of distinct “Indian communities.”

⇒ A policy of assimilation is envisaged.



From 1840 on: Signing of treaties and creation of reserves

- Objective of treaties: free up lands occupied by "Indians" in order to exploit their resources
- In exchange, the "Indians" received smaller territories and property or goods of lesser importance (clothing, blankets, livestock, hunting rifles) and promises of being able to freely hunt and fish in the unoccupied territories.
- This marks the official start of life on the reserves.

From 1840 on: Assimilation through loss of status

Quotation:³

*Beginning in the 1840s, government authorities sought to “acquire the powers necessary for **speeding up the dispossession of ‘Indians’ of their territory, and for reducing their numbers through assimilation into the dominant society.** Objectives such as these ones required that the government take on the right to decide by itself who was an Indian and when a person’s Indian status would be nullified.”*

The numbered treaties (1860 to 1930 approximately)

- There were 11 numbered treaties, with the objective to free up lands for building the Trans Canada railroad.
- All of the negotiations for the numbered treaties had the common goal of extinguishing Aboriginal rights on large tracts of land in exchange for annual cash payments and various benefits.
- **As indicated by the 1996 Royal Commission, the Aboriginal peoples involved generally believed that they were “sharing the land, not surrendering the land.”⁴**

1867: Confederation

- Aboriginal peoples neither present nor consulted
- 1869: legislation for the assimilation of “Indians”.
Assimilation = adoption of a “white” name and permanent loss of status.
- 1876: First version of the *Indian Act*
- 1880: Every “Indian” who obtained a university degree would be enfranchised
- circa 1880: Start of the official policy of residential schools
- 1920: Education made compulsory for children aged 7 to 15

After WW II: A change in strategy

- Gradual closing of the residential schools
- Integration of children into the provincial schools
 - ⇒ Vigorously opposed by parents
- 1950s: emergence of social programs as part of the welfare state
 - ⇒ “Indians” were ineligible for these programs; making them eligible would harm “the plan to “civilize them. A rationing system was implemented for the poorest families.

At the international level, Canada’s position was becoming untenable.

1960s

- Early 60s: The government was forced to shift its position, but it feared doing so would lead to an explosion in costs.
- 1964: The Pearson government decided to transfer social programs for “Indians” and the related costs to the provinces.⁵
 - This effort was a complete failure; the provinces refused to go along with it.
- 1969: The White Paper was produced. It proposed ending once and for all the “Indian question” by abolishing Indian status.

1970s

- “Indians” mobilized throughout the country and rejected the White Paper.

Harold Cardinal, an Aboriginal leader in Alberta, wrote the following in *The Unjust Society*, published in 1969:⁶

“...once more, the Indians of Canada are betrayed by a programme which offers nothing better than cultural genocide (...) The new Indian policy ... presented in June of 1969 is a thinly-disguised programme of extermination through assimilation. For the Indian to survive, says the government in effect, he must become a good little brown white man. The Americans to the south of us used to have a saying: ‘The only good Indian is a dead Indian.’ [The Canadian government] would amend this but slightly to: ‘The only good Indian is a non-Indian’.”

1970s

- A sharp attack on the White Paper: Publication of *Indian Control of Indian Education*, focusing on three basic points:
 - Self-determination in education at the local level;
 - Primordial role of parents in their children's education;
 - The need to prepare children for life in modern-day society.
- The federal government adopted *Indian Control of Indian Education* as the basis of its policy ... **but where is the funding to reflect that policy?**

1970s (cont.)

- 1973: The Calder decision (BC) of the Supreme Court of Canada confirmed recognition of Aboriginal territorial rights based on the fact that they occupied and used their territories before the arrival of the Europeans.
- Late 1970s: start of the administrative take-over of schools.

1980s

- 1982: Repatriation of the Canadian Constitution. Section 35, paragraph 1:

“The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

1980s (cont.)

- 1982: First official UN working group on Indigenous issues (predecessor of the Permanent Forum on Indigenous Issues)
- New regional organizations are created:
 - 1980: the National Indian Brotherhood of Canada becomes the AFN
 - 1985 (April): creation of the FNEC
 - 1985 (May): creation of the AFNQL

First Nations Education Council

- Its creation was inspired by *Indian Control of Indian Education*
- Extract from the written proposal for its creation:

*"The creation of the First Nations Education Council is based on the reasoning that **Indian people have the right and the responsibility to control, manage and ensure the best possible education for their populations.** We believe that this education must be one which has genuine meaning for the different Indian nations and communities and which does not destroy but instead promotes the roots of our nationality. We are convinced that only the Indian people can develop a philosophy for that purpose and adapt that philosophy, where necessary, to modern life."*

FNEC member communities



The FNEC represents
22 communities from the following 8 Nations:
**Abenaki, Algonquin, Atikamekw, Wendat,
Malecite, Mi'gmaq, Mohawk, Innu**

Communities and schools represented by the FNEC

French-speaking communities			English-speaking communities		
Community	Elementary schools	High schools	Community	Elementary schools	High schools
Kitcisakik	École Kabi Opagite		Barrier Lake	Algonquin of Barrier Lake School	
Lac Simon	École Amikobi	École Amik-Wiche	Gesgapegiag	Wejwapniag School	
Manawan	École Simon Pineshish-Ottawa	École Cezar-Newashish	Kahnawake	Kateri School Karonhianonhnaha	Kahnawake survival school
Mashteuiatsh	École Amishk	École Kassinu-Mamu	Kanehsatake	Aronhiatekhe School Rotiwennakehte School	Ratihente High School
Opitciwan	École Niska	École Mikisiw	Kitigan Zibi	Mokasige Immersion School	Paginawatig School
Pikogan	École Migwan		Listuguj	Alaqsite'w Gitpu School	
Wemotaci	École Seskitin	École Nikanik	Timiskaming	Kiwetin School	
Wendake	École Ts8taie		Winneway	Amo Ososwan School	



Communities and schools represented by the FNEC

- Six of the member communities of the FNEC do not have schools, but they manage programs for students in the provincial system, as well as for post-secondary education.

Mission of the FNEC

The mission of the FNEC has been revised and updated a number of times.

Since 2004, the wording for the mission has been:

“The FNEC is an association of First Nations and communities whose common purpose is to achieve full jurisdiction over education. This will be accomplished through mutual collaboration, in providing educational mandates to the Education Secretariat in Assembly, to promote, support, inform and defend the interests and actions of members in regards to all matters of education, while respecting our unique cultural identities and common beliefs, and promoting our languages, values and traditions.”

Vision of the FNEC

- *“The First Nations Education Council is an association which is built upon the collective strength of all the Nations of Quebec, together in a common vision of quality education for all First Nations children. The First Nations Education Council will ensure that the goal of quality, holistic education, as defined by our members, and attained through complete jurisdictional autonomy over our education programs, will be achieved in a spirit of collaboration, respect, sharing, and commitment.”*

Mandates of the FNEC

- Representation at the political level to promote the regaining of control over their education by First Nations.
- Representation at the administrative level to ensure respect of the communities' rights in education.
- Support for the quality of the educational programs and services offered to First Nations, particularly through adequate human and material resources.
- Studies and consultations on issues involving First Nations education.
- Management of programs transferred by various government departments.
- Partnerships with other organizations working in the area of education.



Priorities of the FNEC

- Legal jurisdiction of First Nations over education
- Implementation of a comprehensive and autonomous First Nations education system
- Equitable funding of First Nations education at all levels
- Post-secondary education
- Vocational training
- Technologies
- Special projects



FNEC's main areas of intervention

- Representation of interests
- Support for the educational services in the communities
- Technological support

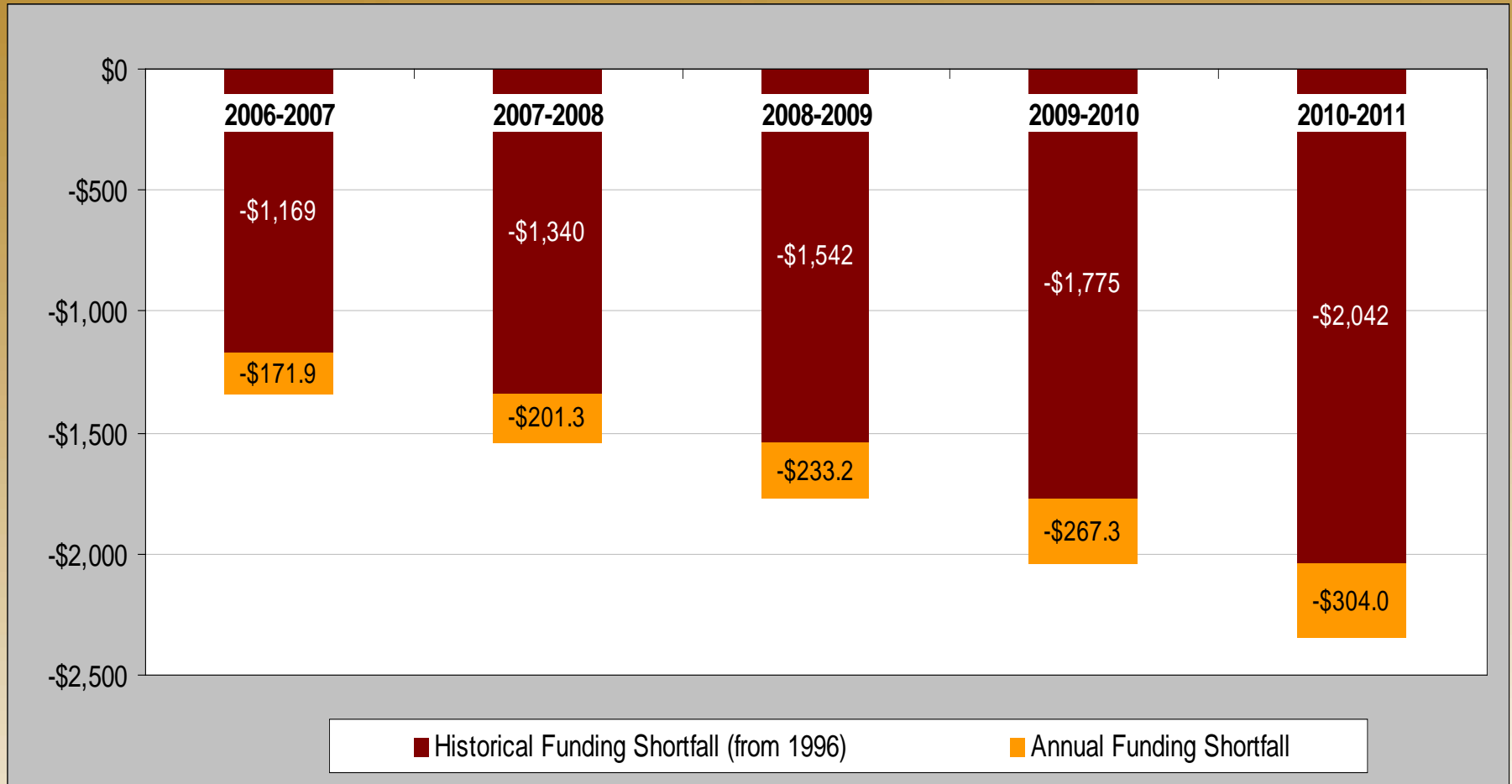
Representation of interests: Main files

Under-funding of education: A priority

- Funding formula of 1988 still in effect
- Non-indexation since 1996 to take into account the increase in the cost of living
- 2% cap for annual funding increases since 1996:
 - From 1996 to 2008, elementary and secondary education of First Nations in Canada has seen a funding shortfall of \$1.5 billion.
 - The overall budget for 2005-2006 was \$1.2 billion.
 - Illustration:

First Nations Education Funding Shortfall (\$millions), BOFF – Instructional Services, Canada⁸

Source: Calculations based on AFN analysis, 2006 <http://www.afn.ca/article.asp?id=2499>



Source: Calculations based on AFN analysis, 6 <http://www.afn.ca/article.asp?id=2499>

Impacts of under-funding

- Do more with much less:
 - Dual challenge: give young people the skills necessary in today's world while preserving the culture of First Nations
 - Provide **QUALITY EDUCATION**
 - Be competitive with the provincial and private schools, which are much better funded

Under-funding acknowledged by public figures

Important political figures, including:

- Paul Martin, Prime Minister of Canada from 2003 to 2006
- Quebec Premier Jean Charest
- Michael Bryant, former Minister of Aboriginal Affairs in Ontario
- Peter Bjornson, Manitoba's Minister of Education
- Alberta's Minister of Aboriginal Relations

⇒ *The government is paying little heed to their remarks, just as it is paying little heed to the Auditor General, the Royal Commission, parliamentary committees, the INAC working group, and independent research institutes.*



Actions by the FNEC in this file

- Since 2003: participation in joint national and regional working groups created to address the issues
- 2005: report by the regional working group on costs⁹
- 2006: report by the national working group¹⁰
- 2007: awareness campaign
- 2007: creation of a team to develop a funding formula
- 2009: Paper on the funding of First Nations education

Absence of support services for schools

- Neither core funding nor official recognition of regional organizations
- Recommendations made in this regard by several major studies (including the report by the Royal Commission), consultations, committees and working groups have all been ignored
- The latest recommendation is formulated in the MOU signed by the FNEC and INAC at the 2006 Forum: *Five-year plan for reinforcing a First Nations education system through the implementation of essential support services for the FNEC member communities* (November 2008)

Vocational training

- Situation in Quebec: Vocational training is offered at the high school level
- First Nations do not receive funding that takes into account the additional costs for vocational training at the high school level
- Disastrous consequences for:
 - Academic perseverance
 - Career opportunities
 - Development of a qualified labour force
 - Economic development

Vocational training (cont.)

What has been done:

- 2003: Creation of a work committee by the FNEC
- 2004: Creation of a joint working group with the Quebec regional office of INAC
- 2005: The FNEC committee published a report entitled “Occupational and Technical Training: The Challenges for the First Nations” and the joint working group published “Vocational education in the First Nations: A Business Case.”
- 2007: Consultation of the member communities regarding access to vocational education (report published in 2008).

Post-secondary education

- Project to create a First Nations post-secondary education:
 - A formidable challenge
- Post-secondary programs
 - First Nations Leadership Certificate
 - Microprogram for integrating technologies into educational pedagogy
 - Audio-visual production
- Management of the Indian Studies Support Program (ISSP)
- Campaign for maintenance of the Post-Secondary Student Support Program (PSSP)

Support for educational services

- Consultation services for the communities
- Support for implementation of the education reform
- Research & development in education
- Support for educational services
- Development of programs of study and curricula
- Development and implementation of projects
- Management of federal programs under contribution agreements
 - Special Education, New Paths for Education, Professional Development, Parental Involvement
- Implementation of new programs: School Success and Partnerships

Technologies

The FNEC offers support in:

- Acquisition/installation of equipment
- Connectivity (Internet and Intranet)
- Training
- Technical support
- Videoconference system
- Multimedia services
- SmartBoard educational technology
- Website hosting
- Special projects in technology (Tele-Health, etc.)
- Fibre optics installation

Conclusion

- One finding strikingly emerges: The project for integrating First Nations into the dominant society is very much alive today. Only the strategies have changed.
- In 1920, Duncan Campbell Scott, Superintendent of Indian Affairs, said:¹¹

“I want to get rid of the Indian problem...Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question and no Indian Department.”

Conclusion (cont.)

- In its 2008 budget, the federal government announced that it would be:

*“Dedicating \$70 million over two years to improve First Nations educational outcomes through enhanced accountability and **by encouraging integration with provincial systems.**”*

Conclusion (cont.)

- Article 8 of the United Nations Declaration on the Rights of Indigenous Peoples¹² prohibits any form of forced assimilation or integration:

States shall provide effective mechanisms for prevention of, and redress for:

- ***Any action which has the aim or effect of depriving them of their integrity as distinct peoples, of their cultural values or ethnic identities;***
- *Any action which has the aim or effect of dispossessing them of their lands, territories or resources;*
- *Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;*
- ***Any form of forced assimilation or integration;***
- *Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.*

Conclusion (cont.)

- On June 13, 2008, the Prime Minister offered an apology for the harm done by the residential schools, but considering all the evidence it seems, that the same objective is being pursued by omission
- The FNEC and the AFNQL are working jointly to inform the international community about this situation



A call for action at the international level: The urgent need to establish criteria for recognizing forced integration

- The new policies clash with the positions expressed at the international level;
- Hence the urgent need to establish criteria for identifying and denouncing these policies;
- This is a concern shared by the UN: there is a need to establish criteria for implementing recommendations in the area of Indigenous peoples' rights.



Proposed criteria

- Under-funding
- Favouritism towards institutions in the dominant society
- Protection of languages
- Abusive management as the norm
- Abuse of procedures
- Government as judge and jury
- Living conditions

References

1. Human Rights Council, Expert Mechanism on the Rights of Indigenous Peoples (2009). *Study on Lessons Learned and Challenges to Achieve the Implementation of the Right of Indigenous Peoples to Education. Report of the Expert Mechanism on the Rights of Indigenous Peoples*
http://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/2d/docs/A_HRC_EM RIP_2009_2.pdf
2. Royal Proclamation of October 7, 1763:
http://www.collectionscanada.gc.ca/archivesweb/20071217065753/http://www.ainc-inac.gc.ca/ch/rcap/sg/cga4_e.pdf
3. Lepage, P. (2009). Mythes et réalités sur les peuples autochtones. Commission des droits de la personne et des droits de la jeunesse du Québec. Direction de l'éducation et de la coopération.
4. Report of the Royal Commission on Aboriginal Peoples
http://www.collectionscanada.gc.ca/archivesweb/20071217065001/http://www.ainc-inac.gc.ca/ch/rcap/sg/cg6_e.pdf

References (cont.)

5. Andrew Webster (2008). *The Indian Problem Today: The History and Trajectory of Cost-Avoidance and Offloading*. a.webster@sympatico.ca
6. Cardinal, H. (1969). *The Unjust Society*. Cardinal, Harold (1969) *The Unjust Society* , Douglas & McIntyre Vancouver/Toronto edition (www.douglas-mcintyre.com)
7. Report of the Royal Commission on Aboriginal Peoples, Vol. 1, Chapter 6. http://www.cepn-fnec.com/file/autre/memoire_financement_education_pn_fev_2009eng.pdf
8. FNEC paper on the funding of First Nations education
9. FNEC/INAC Committee on Tuition Fees (2005). *An Analysis of Educational Costs and Tuition Fees: Pre-School, Elementary School and High School Levels*
10. Joint AFN/INAC BOFF Working Group (2006). *A Study of Educational Cost Drivers to First Nations Education*
11. Report of the Royal Commission on Aboriginal Peoples

References (cont.)

12. United Nations Declaration on the Rights of Indigenous Peoples
[http://daccessdds.un.org/doc/UNDOC/GEN/N06/512/08/PDF/N0651208.pdf?](http://daccessdds.un.org/doc/UNDOC/GEN/N06/512/08/PDF/N0651208.pdf?OpenElement)
OpenElement
13. United Nations Special Rapporteur on the Rights of Indigenous Peoples. Annual Report, 2007.
14. Paper presented by the FNEC at an event held parallel to the 8th Session of the United Nations Permanent Forum on Indigenous Issues. http://www.cepn-fnec.com/news/document/doc_onu_en.pdf