

Settler Stalling: Integrated Schooling and the “Native Conferences” of the Royal Commission on Family and Children’s Law in British Columbia

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ABSTRACT

In this article, we examine Indigenous responses to educational integration in British Columbia through the 1974 “Native Conferences” held by the Royal Commission on Family and Children’s Law. In the 1950s, Canadian policy on Indigenous education shifted from segregation to integration and by the late 1960s organizations such as Union of British Columbia Indian Chiefs and the Native Indian Brotherhood rejected both approaches, demanding Indigenous control over schooling. The royal commission, chaired by Justice Thomas Berger, provided Indigenous communities across BC a platform to articulate how public schooling harmed their youth and families. Although the commission’s findings have received scant attention from historians of education, its consultations with Indigenous people through Native Conferences held in the spring and summer of 1974 reveal valuable insights into Indigenous demands for better educational support. These demands aligned with those made by the Native Indian Brotherhood in *Indian Control of Indian Education*, yet colonial governments largely ignored them for decades. We introduce the concept of “settler stalling” to describe colonial governance that promises reform while deferring meaningful, Indigenous-defined change. Though integration promised equality following the 1951 Indian Act amendments, it failed to address colonial structures, curriculum, and racism within schools, points clearly articulated by Indigenous participants of the conferences.

RÉSUMÉ

Cet article examine les réactions des Autochtones à l’intégration scolaire en Colombie-Britannique à travers les « Conférences autochtones » de 1974, organisées par la Commission royale sur le droit de la famille et des enfants. Dans les années 1950, la politique canadienne en matière d’éducation autochtone est passée de la ségrégation à l’intégration, et à la fin des années 1960, des organisations comme l’Union des chefs autochtones et la Fraternité autochtone

de la Colombie-Britannique ont rejeté ces deux approches, exigeant que les Autochtones contrôlent l'éducation. La commission royale, présidée par le juge Thomas Berger, a offert aux communautés autochtones de la Colombie-Britannique une tribune pour dénoncer les méfaits de l'école publique sur les enfants et leurs familles. Bien que ses conclusions aient été peu étudiées par les historiens de l'éducation, les consultations menées auprès des Autochtones lors des conférences autochtones du printemps et de l'été 1974 apportent un éclairage précieux sur les revendications de ces derniers en faveur d'un meilleur soutien scolaire. Ces revendications rejoignent celles formulées par la Fraternité autochtone d'Amérique dans le cadre du projet « Contrôle autochtone de l'éducation des autochtones », pourtant les gouvernements coloniaux les ont largement ignorées pendant des décennies. Nous introduisons le concept de « dérapage des colons » pour décrire une gouvernance coloniale qui promet des réformes tout en reportant les changements significatifs définis par les Autochtones. Bien que l'intégration ait promis l'égalité après les modifications apportées à la Loi sur les Indiens en 1951, elle n'est pas parvenue à s'attaquer aux structures coloniales, aux programmes scolaires et au racisme au sein des écoles, des points clairement soulevés par les participants autochtones aux conférences.

Introduction

In the wake of the Second World War, Canadian colonial policy regarding Indigenous youth and public school attendance shifted from a focus on segregation to integration. With some important exceptions, the impact and legacy of integration, especially how it affected and was assessed by Indigenous peoples, remains largely under-researched and under-theorized. By the time Red Power arose in the late 1960s and early 1970s,¹ organized Indigenous voices led by the Union of British Columbia Indian Chiefs (UBCIC) and the Native Indian Brotherhood (NIB) vehemently denounced both educational segregation and integration and demanded Indigenous control over schooling.

Whatever promise integration represented for Indigenous students at mid-century and beyond, it had badly stalled by the 1970s. In 1974, at eight separate public hearings of the British Columbia Royal Commission on Family and Children's Law, Indigenous communities across British Columbia detailed the numerous ways in which public schooling caused damage to their youth and their families. These hearings, called "Native Conferences,"² constitute an overlooked source of educational history in British Columbia. With Justice Thomas Berger as chair, the commission undertook a comprehensive review of family and children's law in the province, which importantly came to include educational policy and its impact on Indigenous lives.³

Despite these efforts, by 1975, the commission's recommendations for improvements to Indigenous experiences of schooling, as we detail in the sections to follow, were jeopardized by a change of government in the province. Nevertheless, we argue that the 1974 Native Conferences provide unique and important insights into the experience of integration, and more broadly, of public schooling as an instrument of harmful colonial governance from the perspective of Indigenous people in local communities across BC. The harm associated with integrated schooling, as identified by the Native Conferences participants, underscored urgent demands by Indigenous leadership for educational sovereignty.

We begin our examination by contextualizing educational integration in 1970s

BC and our main primary source, the Native Conferences. The conferences took place across the province between May and September of 1974.⁴ The expressed aim of the Native Conferences was to gather feedback from Indigenous peoples on a wide range of proposed legal reforms with the intent of incorporating this feedback into new legislation governing child and family welfare. Issues associated with education—along with Indigenous health and housing—were not included in the commission's mandate, yet these nevertheless emerged as topics of concern. "These matters were beyond the original terms of reference of our Commission," the commissioners wrote in their *Report on Native Families and the Law*, "but we agreed that they could not be excluded from any discussion of the problems of native [*sic*] families."⁵

Drawing on these conferences, we analyze four major themes that emerged in the recommendations made by the Indigenous participants. These themes reflected their local circumstances, ongoing concerns, and demands for deep changes to educational policy and the schooling system more generally: curricular revision and school support; changes to administrative structures; the need for Indigenous input at all levels; and urgent critiques of provincial and federal governments' handling of Indigenous education. Together, the themes elucidate how federal and provincial colonial policy in relation to education and schooling played out in the lives of people in local Indigenous communities. Their feedback amounted to a sharp critique of the existing system, including the failure to meaningfully integrate Indigenous youth into public schooling and, importantly, the specific ongoing harm this was causing them and their families. The themes also signalled why the desire to have Indigenous sovereignty over children's education was so pressing by the 1970s.

We use the concept of "settler stalling" to describe colonial governance during this period of significant educational policy reform in the province.⁶ We define settler stalling as a form of colonial violence, a strategy and outcome of governance that routinely promises change while deferring or failing to meaningfully enact it. In the post-Second World War period, this stalling manifested itself in grand promises of "equality of educational opportunity" for Indigenous people following the 1951 revisions to the Indian Act that were in practice constantly deferred or absent.⁷ Such delays meant that while Indigenous youth attended public schools alongside settler students, meaningful social, political, and cultural change remained equally delayed. Colonial school governance, curriculum, pedagogy, and racist attitudes of school staff were glossed over, ignored and allowed to continue.⁸ As Native Conference participants made clear, integration as it was being taken up in BC public schools was not only failing, but it also enabled serious ongoing harm to children, families, and communities.

Given that we make no claim to Indigenous identity as settler historians, we believe it is important to make clear our intention to approach this history cautiously and with humility.⁹ In her examination of the recent Canadian Human Rights Tribunal cases against the federal government for its history of child welfare apprehensions in Indigenous communities, non-Indigenous researcher Hanna Rask articulates our position when she notes that "my experience is beyond my capacity and position to speak for Indigenous peoples as a non-Indigenous researcher."¹⁰ Like Rask, we do not

speak for Indigenous people. It is the violence of colonial governance, evidenced by stalling on issues of priority for Indigenous peoples, that we scrutinize in this study.

Indigenous Integration and Education in BC: The Postwar Years and the Royal Commission on Family and Children's Law

With some exceptions, most notably the important work done by Helen Raptis, the integration of Indigenous youth into public schools in BC after the Second World War, particularly as it affected and was assessed by Indigenous peoples, remains largely under-researched and under-theorised.¹¹ In her 2016 groundbreaking book, *What We Learned: Two Generations Reflect on Tsimshian Education and the Day Schools*, Raptis notes that educational historians have paid only limited attention to the post-Second World War period during which official Canadian government policy on Indigenous youth in public schooling shifted from segregation to integration.¹² Studies of the integration era, she points out, have tended to focus primarily on federal policies, such as the 1951 changes to the Indian Act that instituted integration, rather than on the experience of integrated education in local jurisdictions.¹³ Exemplifying the importance of studies of the local experience of educational integration, Raptis shows how and why integration in the community of Port Essington, BC, preceded the federal changes to the Indian Act. Based on a complex mix of circumstances, including “the inability to secure a teacher, power struggles between church and government officials, [and] socioeconomic shifts in the area,” she demonstrates that the policy of integration was driven primarily by local conditions, needs, and history that are critical to our understanding of the past.¹⁴

Scholars have noted that changes to the 1951 Indian Act that paved the way for integrating Indigenous students into settler schools were in keeping with a broader post-Second World War ethos of recognizing and respecting “the sanctity of human rights.”¹⁵ By empowering provinces to integrate Indigenous children into settler schools, these modifications to the act ostensibly aimed to create unified provincial education systems that placed Indigenous and non-Indigenous students “on an equal footing.”¹⁶ From the late 1950s through the 1960s, the number of Indigenous students experiencing integrated schooling rose dramatically. Historian John Milloy emphasizes that while approximately 137 Indigenous children across the country attended non-Indigenous schools in 1947, by 1961 that number had increased to 10,822, or about 25 per cent of the total Indigenous school population. In 1963, some 40 per cent of the Indigenous school population was attending integrated schools.¹⁷ In BC, the proportion of Indigenous youth attending provincial public schools increased from 29 per cent in 1958–1959 to 77 per cent in 1971–1972.¹⁸

Fifteen years after the integration mandate, an official report confirmed that it was failing to deliver on its promise. Commissioned by the federal government in 1966, and led by University of British Columbia Professor Harry B. Hawthorn, *A Survey of the Contemporary Indians of Canada: Economic, Political, Educational Needs and Policies*, known as the Hawthorn Report, revealed that integration efforts had not resulted in placing Indigenous and non-Indigenous students “on an equal footing.”

The report noted that:

the integration of Indian children into provincial schools, once so hopefully regarded, has not settled the issue. While it offers an identical education to the Indian child, some of his [*sic*] needs are different from those of most non-Indian children and are not met by the existing programs. The case set out in the first volume of the Report that the Indians be treated as citizens plus because they needed and were entitled to that status becomes stronger for the child. He needs more than equality or similarity of education at this point.¹⁹

Despite the government's awareness of the problems hindering integration, including the absence of meaningful system-wide reforms, Indigenous students continued to attend provincial public schools in greater numbers throughout the 1960s. In the context of the "equality revolution" underway at this time, the integration model was seen as a logical way to rectify historical inequalities between Indigenous and non-Indigenous people. The federal government, led by the Liberals under Pierre Trudeau, and as outlined in the 1969 *Statement of the Canadian Government on Indian Policy* (the White Paper), aimed to eliminate any special status for Indigenous peoples for the purposes of assimilating them into Canadian society.²⁰ Indigenous leaders resisted. Under the leadership of Harold Cardinal, the Indian Association of Alberta, for example, responded to the White Paper with its own report, *Citizens Plus*, which became known as the Red Paper.²¹ In the Red Paper, Indigenous leaders reminded the federal government of the need to honour existing treaties with Indigenous peoples and to improve the Indian Act, rather than abolish it. At the provincial level, the UBCIC issued *A Declaration of Indian Rights—BC Position Paper* in 1970, which became known as the Brown Paper.²² Created in response to the White Paper, the Brown Paper rejected any assimilation attempts that would abolish Indian status in Canada.²³ The needs of Indigenous peoples in education and schooling were a key part of the Brown Paper. "Reform in Native education is necessary," the Chiefs wrote, "and the educational system must provide for development, and it must be based on Indian culture."²⁴

Education is of paramount importance to our social and economic development.... Our children must have the opportunity to be taught their native languages and culture.... We do not want sympathy from the non-Indian Canadian society. We want recognition of our national identity and we want to practice with pride and dignity our cultural heritage as aborigines [*sic*]. Within the framework of society we expect non-Indians to appreciate our rights as first citizens of Canada.²⁵

Echoing the demands outlined in the Brown Paper, the NIB issued *Indian Control of Indian Education (ICIE)* in 1972, a comprehensive statement of Indigenous educational philosophy and critique of the existing system as it related to the experience of Indigenous people. *ICIE* is a policy document intended to guide educational

reform for Indigenous children by clearly defining Indigenous philosophy, goals, principles, and directions in education.²⁶ The key position of Indigenous people in relation to education was clear: “Indian parents must have FULL RESPONSIBILITY AND CONTROL OF EDUCATION.”²⁷ Regarding responsibility, the NIB highlighted that the involvement of local Band Councils and Indigenous representation on school boards was essential for improving Indigenous education. The absence of Indigenous input at all levels of colonial governance concerning education was condemned as unacceptable. Educational programs were singled out as inadequate for Indigenous students, especially in fulfilling the needs of both youth and adults, and in providing a culturally supportive curriculum and pedagogy. Indigenous teachers were desperately needed, as was mandatory professional development for non-Indigenous teachers. Finally, “substandard school facilities” were decried as unacceptable.²⁸

It was in this social and political context that the newly elected New Democratic Party (NDP), led by David Barrett, embarked on an ambitious program of social and legal reform in the province. Between 1972 and 1975, Barrett’s NDP government would pass hundreds of pieces of legislation—dubbed “legislation by thunderbolt” at the time—to respond to demands for social change from many quarters, including organized labour, youth, Indigenous peoples, and poverty and social welfare activists, among others. Barrett, a social worker, was uniquely positioned to steward the modernization of wide swaths of social welfare provision in the province.²⁹

The NDP’s reform spirit was perhaps best reflected in the new government’s appointment of the Royal Commission on Family and Children’s Law.³⁰ The commission approached its mandate in a unique way. The familiar task of a royal commission was to make policy recommendations to governments on a specific issue or issues after receiving briefs and feedback from interested organizations and citizens. Typically, the policy recommendations were contained in a single, often massive, report to government. This royal commission, in contrast, operated as a policy-making rather than simply a policy advising body.³¹ The commission produced thirteen reports between 1972 and 1975, recommending sweeping changes to laws, policies, and procedures related to family and child welfare, some of which had remained unchanged since the 1930s. Chaired by Justice Thomas Berger, the commission was tasked with studying and making recommendations on a wide range of issues, from the provision of family law courts to the treatment of children of unwed parents, adoption, Indigenous families and the law, artificial insemination, and children’s rights, among other urgent topics.³²

The NDP’s reform initiative, directed largely at children and families, not surprisingly extended to education and welfare. The government replaced the Department of Education with a new Ministry of Education in 1972.³³ Former education critic Eileen Dailly became both minister of education and the first female deputy premier in Canada.³⁴ Dailly worked quickly to enact critical reforms: she banned corporal punishment, eliminated Grade 12 examinations, created the province’s first Indigenous school district in the Nass River Valley (established by the Nisga’a Nation), and instituted a revised school accreditation process.³⁵

These progressive initiatives in social welfare reform, however, could not predict the ultimate fate of either the Barrett NDP government or the royal commission’s

recommendations. In 1975, just months after the thirteen commission reports were submitted, the NDP lost a hastily called election, partly because of the cost of extensive legislative changes. Reflecting on her royal commission experience, Senior Social Work Consultant Mish Vadasz recalled:

it was a remarkable experience to work with people who cared that much and were willing to put so much into it. You didn't care how many hours you worked.... I think I worked on a regular basis of 16 or 17 hours a day. It was a labour of love. We were so naïve. We thought this stuff was going to happen. We really thought we were changing the world.³⁶

The province saw the return of the conservative Social Credit Party (Socreds) under the leadership of Bill Bennett, son of previous premier W. A. C. Bennett. The recommendations of the commission, dismissed by the incoming Socred government as so much "partisan politics," languished for two more decades before *some* recommendations began to appear, albeit sporadically and often only partially, in laws, governmental policies and processes, and as optional procedures.³⁷

Documenting Schooling Harm—Recommendations from the Native Conferences

The public hearings held by the royal commission were intended to solicit public views and to increase awareness of the many issues needing attention in the areas of family law and child welfare in BC. The commissioners hoped that by involving communities centrally in their work, the public would be more receptive to their plan to instigate legislative change.³⁸ With this in mind, the commissioners spread out across the province. The Native Conferences were held in seven communities between May and September of 1974: Prince George, Sardis, Prince Rupert, Vancouver (two conferences), Port Alberni, Fort Nelson, and Penticton. The selection of location aimed at regional representation; the Penticton conference, for example, was organized through the Penticton Indian Band but included invitations to Indigenous bands throughout the Okanagan, Kootenay, and Thompson River areas.³⁹ In Vancouver, invitations extended beyond local Indigenous organizations to include Indigenous clubs at correctional institutions, including the Allied-Tribes Indian Club and the Native Sisterhood Indian Club at the Lower Mainland Regional Correctional Centres, the Native Indian Club at the Haney Correctional Centre, the Allied Indian and Metis Club in New Westminster, and the Native Indian Clubs of the Matsqui Institution and the Agassiz Correctional Work Camp and Mountain Prison.⁴⁰ Following the conferences, recommendations from each were reviewed by a working group comprising commissioners and Indigenous delegates.⁴¹

Through the conferences, commissioners gathered valuable feedback from Indigenous peoples from various First Nations regarding their priorities in fifteen areas, with education, social services, adoption, and child apprehension garnering the most recommendations.⁴² However, a limitation of the commission reports is that

while they document what commissioners heard, they remain silent on the identities of individual speakers. The extant records therefore provide a valuable summary or aggregate of collective opinions from the Indigenous participants, rather than attributed individual voices.

In the area of schooling and education, four major themes emerged across the conference recommendations that reflected Indigenous people's impatience and concern with the government's stalling on meaningful integration at the local level: curricular revision and improved school services; changes to administrative structures governing schools; increased Indigenous input at all levels; and critiques of provincial and federal handling of Indigenous education. Framed by the reality that Indigenous youth and families were suffering harm under the existing system, these themes formed a blueprint for local Indigenous sovereignty over children's education. The conferences thus heard local articulations of the principles outlined in the Brown Paper and *ICIE*, underscoring the consistency and urgency of Indigenous demands in education and schooling.

The recommendations aimed at reforming public school curriculum and school services included both compensatory and aspirational aims. The former called for Indigenous content in schools and for teachers knowledgeable about Indigenous issues. The latter called for students to be educated by their Elders in Indigenous languages, culture, history, traditions, and rights. Emerging from the Port Alberni conference, for example, participants noted that "respected local [Indigenous] traditions" were completely absent from lessons. They argued that cultural enrichment was needed, but that their children did not necessarily require more "classroom learning" to access it.⁴³ Citing the necessity of local land-based learning for Indigenous students, Prince George participants requested financial support to run camps to "assist the development of Native children in cultural areas, survival, and traditional relationships of people to nature."⁴⁴ At the Fort Nelson conference, participants also advocated for the inclusion of Elders who could teach "Native languages, crafts, and history."⁴⁵ The Prince George conference similarly underscored the need for public school courses in "Indigenous languages, customs and legends."⁴⁶

Conference participants from the across the province also pointed out that Indigenous children with special needs were not receiving the learning support that they needed to be successful in school and, in fact, were being put at even greater risk. At the Sardis conference, for example, improved assessments for children experiencing difficulties in school and assurance of follow-through were cited as the key supports that were missing.⁴⁷ At the Nanaimo meeting, participants complained that there was no organized testing for Indigenous children entering the school system, thus leaving learning disabilities to be "picked up only haphazardly." Fort Nelson participants pointed out that "emotionally disturbed children are being placed in residential schools through lack of other facilities." The recommendations from the Vancouver conference regarding the need for improved curriculum in schools were pointed and unequivocal: "Native Indian children attending schools in the larger community, particularly at the Secondary School level, suffer from discrimination, a lack of identity, and textbook content which is detrimental to them."⁴⁸

The dire need for curriculum reform articulated at the conferences was understood as connected to the very structure of public school governance in the province. Participants from Port Alberni, Sardis, and Prince George all pointed to the inadequacies of the school boards themselves. Boards, they argued, "do not represent Native priorities." At a minimum, participants suggested, "all boards with Native children need Native representatives."⁴⁹ Across the Native Conferences, commissioners heard that Indigenous parents "expressed a strong desire to be involved in the decisions made about the education of their children."⁵⁰ The consequences of ignoring adequate Indigenous representation on local school boards extended beyond issues of racist curricula: it meant lost opportunities for broader improvements in communities. Participants at the Sardis conference, for example, noted that the lack of Indigenous representation on school boards across the province meant that "bands are not notified by school boards when funding or special programming becomes available."⁵¹ At the Fort Nelson conference, the need for Indigenous involvement in school decision-making was clearly articulated:

Half of the population of Fort Nelson is Native and considerable discrimination is experienced. Positions on the local Council and School Board should be sought to allow Native needs and rights to receive attention. Native decision-making should be in the hands of an increasing number of people who should be encouraged to take responsibility of their own affairs.⁵²

The key issue of meaningful local Indigenous involvement in public schools emerged as a third major theme at the Native Conferences, directly connecting to complaints about non-representative school boards and the lack of parental voices in children's education. This exclusion manifested itself in various ways across communities. In Vancouver, the exclusion of Indigenous parents was pointed to as a major barrier to appropriate decision-making processes undertaken by boards. In Sardis, participants argued that schooling must be in Indigenous communities and not at "far away Residential schools." A related concern was that many Indigenous children had to leave their communities for secondary schools in larger urban centres. These students often boarded with non-Indigenous families and encountered difficulties adjusting to urban life away from their communities.⁵³ The commission report noted that in 1974, 350 Indigenous students boarded in the Lower Mainland while attending secondary school. Indigenous participants demanded more local schools and financial support for the costs associated with boarding their children. The commissioners suggested that more "native [sic] workers [were needed] to provide liaison between school personnel, boarding home parents, and their parents at home."⁵⁴

Some conference participants expressed a preference for local residential schools over distant public schools, given proper conditions. At the Fort Nelson conference, participants noted that it was appropriate to send Indigenous children to residential school if they had Indigenous teachers and offered a culturally enriched curriculum. Fort Nelson conference participants demanded that the right to decide on residential schooling be left to parents and children. Local residential schools had begun to

employ Indigenous teachers and, participants noted, offered lessons in Indigenous culture, camping trips, and land-based educational opportunities. Additionally, parents were “free to visit or take the children out [of the school].”⁵⁵ Preference for the residential school was clearly based on the opportunities for Indigenous-based education that were not available in the local public schools.⁵⁶ This preference may have also reflected awareness of successful Indigenous-controlled residential schools elsewhere. Conference participants would have been aware of the 1970 sit-in at Blue Quills Residential School in Alberta in which the surrounding Indigenous community fought against attempts to close the school. The protest resulted in the government ceding to Indigenous wishes to govern their education. Blue Quills became the first Indigenous-administered school in Canada in 1970.⁵⁷ Additionally, as participants at the Native Conferences made abundantly clear, public schools were places where racism and colonialism worked in tandem to limit children’s learning opportunities.⁵⁸

The last major theme emerging from the Native Conferences pointed to the inadequacies of both provincial and federal governmental support for Indigenous success in public schools. At both the Sardis and Prince George conferences, for example, participants demanded that the provincial Ministry of Education implement an “Indian Advisory Council” to ensure that Indigenous educational priorities were honoured in schools. They also demanded a task force be struck on how to meaningfully integrate Indigenous children into public schools. They recommended that such a task force focus on addressing racism among teaching staff, reducing high dropout rates among Indigenous students, developing educational alternatives to the existing system, and increasing Indigenous representation in curriculum planning.⁵⁹ In their report on *Native Families and the Law*, the commissioners themselves acknowledged this systemic failure:

A great deal of concern has been expressed that Indian children are unprepared for the school system and unmotivated within it. The high drop-out rate has been attributed to the inadequacies of the students. Educators are now recognizing that the reverse is true—it is our educational offerings that are inadequate and inappropriate.⁶⁰

The reality of sending children to schools away from home communities drew major criticisms from conference participants. At the Vancouver conference, participants demanded urgent governmental financial support to ensure that Indigenous children could complete their studies. They noted that most recently, thirty-three Indigenous children had quit school because it was too hard for their parents to pay non-resident fees on top of supporting them living in the city.⁶¹ Similarly, the participants argued that educating young people was a Band responsibility and simply not feasible without more financial support. They also criticized the Ministry of Education’s funding practice of giving money to school boards that too often rejected “the interests of native [*sic*] cultural education.”⁶² They called for an investigation into the taxation of Indigenous peoples with an eye to scrutinizing whether tax contributions were being used for priorities such as on-reserve schooling. Building on these concerns,

participants in Nanaimo strongly criticized the Department of Indian Affairs and Northern Development (DIAND)'s criteria for sending Indigenous children off-reserve for schooling. They understood the main reasons—the absence of an elementary or secondary school, or the lack of a needed course or program—but denounced the final criterion for Indigenous children being sent away, "problems in the home," as overused and inappropriately applied by DIAND staff. They argued that if the money used to support the operations of residential schools was redirected to local Bands for improvement of local conditions, children and families in Indigenous communities would thrive in schools.⁶³ Underscoring all of the various recommendations made by participants at the Native Conferences was a "strong emphasis that basic issues must be dealt with, not just "band-aid" solutions."⁶⁴

The commissioners' correspondence with local communities after the sponsored conferences suggests an intention for these gatherings to be just the beginning of a new relationship between Indigenous peoples and the government. Commissioner Mish Vadasz wrote to the Fort Nelson participants after that conference that the commissioners hoped it would "open the doors to on-going communication between the members of the Commission and the Native People in the northern part of the Province."⁶⁵ Carefully echoing the language of the Red Paper and the Brown Paper, Vadasz assured the participants that "the Provincial Government will take into consideration the *special needs* of the Native Peoples of British Columbia."⁶⁶ Another commissioner, Syd Segal, commented after the Port Alberni Native Peoples Workshop that poor communication about the nature of the workshop and some confusion over the topics to be discussed had led to only thirty people attending it. Yet Segal reported that attendees "were strongly motivated to express themselves" and were "anxious to produce worthwhile recommendations."⁶⁷ This is not to imply that Indigenous participants wholeheartedly bought into the commission and its colonial provenance but rather that they had already thought through and articulated the need for change in the education system. The workshops and conferences provided a place where their local experiences were sought after, valued, and recorded. Rejecting schooling that simply aimed to assimilate Indigenous people, Sardis participants noted that "many Indian people are not interested in becoming part of the Industrial [*sic*], Anglo-Saxon controlled society—therefore the Commission should consider setting up a project that would develop job patterns that are acceptable to the Indian people."⁶⁸ Multiple suggestions about where and when further workshops could be organized—including the offer made by Chief Josephine August of Chemainus to organize another meeting for Vancouver Island—indicate that this process was seen as a beginning, not an end.⁶⁹

Back to the Future—Meeting Indigenous Demands with Settler Stalling

The royal commission's reports and recommendations met an inauspicious political fate. In the aftermath of the 1975 BC general election, the NDP was ousted by the Social Credit party, and with it came the shelving of the commission's efforts. The information gathered at the Native Conferences, nevertheless, represented a coherent

and forceful local response to the real time inadequacies of the integrated school system in BC. The participants gave government representatives clear evidence of the need for significant changes to the existing school system in the province. That the recommendations echoed both the Brown Paper and *Indian Control of Indian Education* bolstered their importance. The calling out of racist curriculum and school staff, high dropout rates among Indigenous youth, and a complete lack of representation of Indigenous people on decision-making bodies, represented a powerful indictment of the state of schooling that was far from integrated. It is worth noting, however, that the most significant message delivered at the 1974 Native Conferences was the clear declaration of the *serious ongoing harm* that the public school system was perpetuating against Indigenous peoples.

While the recommendations that emerged from Native Conferences were never comprehensively adopted by the provincial government in the 1970s, Indigenous efforts to move their vision for sovereignty forward continued. It was Indigenous activism in the 1980s, 1990s, and into the 2000s, in the face of continued stalling on the part of colonial governments, that pushed forward positive change for Indigenous students. In the broader Canadian context, the Assembly of First Nations/Native Indian Brotherhood published its report on Indigenous education entitled *Tradition and Education: Towards a Vision of Our Future—A Declaration of First Nations Jurisdiction Over Education* in 1988. In it, they re-articulated the need for Indigenous control over Indigenous education stating plainly that “(t)he federal government has failed to implement the policy of *Indian Control of Indian Education*.”

The federal government considers delegated authority sufficient to meet the principle of First Nations jurisdiction over education. In practice, the federal government delegates very limited decision-making powers to First Nations and retains total control over the determination and allocation of resources needed to establish, manage, and operate local First Nations schools.⁷⁰

In 1995, the Royal Commission on Aboriginal People offered yet another articulation of the need for Indigenous control over Indigenous education. Echoing the demands of Indigenous peoples, including those who had attended the Native Conferences some twenty years earlier, this commission noted that in order for Indigenous peoples to thrive economically, socially, and culturally, control over education needed to rest with local communities.⁷¹

Closer to home, the founding of the BC First Nations Education Steering Committee (FNESC) in 1992 and the BC First Nations Schools Association (FNSEA) in 1996 were a direct response to ongoing governmental stalling on Indigenous demands for improvements to the schooling system.⁷² The earlier precedent set by the Nisga'a Nation in this regard was instructive and inspirational. In 1996, the Nisga'a Nation in the Nass River Valley, BC, signed a groundbreaking treaty with the federal government, establishing their own Nisga'a Lisims government. This self-governance arrangement included increased control over education in their territory. The Nisga'a were still required to follow the BC provincial curriculum to secure the BC

Certificate of Graduation for their students, but were free to incorporate Indigenous knowledge in doing so.⁷³ Building on the Nisga'a's experiences, two agreements negotiated by FNEC and the FNSA on behalf of Indigenous education were "fundamental to the BC First Nations Education system."⁷⁴ The first, the BC First Nations Education Jurisdiction Framework Agreement, signed on July 5, 2006, by Canada, BC, and the FNEC, advances Indigenous control over education. Through its "education jurisdiction initiative," FNEC has assisted seven participating Indigenous nations, including aq'am (Ktunaxa Nation), Cowichan, Lil'wat, Seabird Island, Canim Lake Band, Ditidaht First Nation and Skwxwú7mesh Úxwumixw (Squamish Nation) achieve more control over the education of their children. The participating Indigenous nations now have federally- and provincially-recognized law-making authority over kindergarten-grade 12 education in their territories.⁷⁵

The second agreement, the 2018 BC Tripartite Education Agreement: Supporting First Nation Student Success, has six elements aimed at supporting Indigenous students regardless of whether they attend a First Nations, public, or independent school: to improve outcomes for Indigenous students; foster increased accountability through Local Education Agreements (LEAs) between local school boards and Indigenous bands; enhance Indigenous student participation in extracurricular activities; address transportation issues for Indigenous students and families; provide language and culture funding; and to continue support of Special Education programming.⁷⁶ Based on the local and now decades-long history of advocacy on the part of FNEC and the FNSA, the passing of the 2006 First Nations Jurisdiction over Education in British Columbia Act and the 2018 BC Tripartite Education Agreement have forced the provincial and federal governments to move in directions articulated at the Native Conferences, in the Brown Paper, and in *Indian Control of Indian Education*.

The strategy to achieve educational sovereignty through educational agreements with the colonial government, however, has drawn sharp criticism more recently. Laura Forsythe maintains, for example, that despite comprehensive land claims, self-government agreements, and modern treaties that address education in the form of tripartite education agreements or sectoral agreements across the country, "there has yet to be a single agreement in which a First Nation has obtained the level of autonomy discussed by the Native Indian Brotherhood in 1972, particularly around Indigenous educational sovereignty."⁷⁷ Despite agreements, Forsythe demonstrates, colonial governments continue to stall on sovereignty. Indigenous people still lack the full autonomy and freedom to develop a curriculum framework outside of the provincial or territorial standard; nor can First Nations Bands choose a current delivery system of education that fits their members. Forsythe concludes that such agreements do not provide Indigenous Nations with the opportunity for alternative methods of educating their members.⁷⁸

It was not the BC treaty process nor federal or provincial government prioritizing that has aided Indigenous educational sovereignty, however incomplete and fraught. Instead, as we have argued in this paper, the longstanding inadequate integration of Indigenous youth into provincial schools and the persistent demand for improvements from local Indigenous people and organizations has made the difference.⁷⁹

In May 1974, George Manuel, president of the NIB from 1970 to 1976, addressed the annual conference of the British Columbia Native Indian Teachers Association held in Vancouver. This was only the fifth conference of its kind, highlighting the dramatic local organizing unleashed by the threats contained in the White Paper. At this conference, the democratic local control of education by Indigenous people, not usurpation by yet another settler bureaucracy, animated Manuel's speech. Outlining the federal government's legal responsibility for funding Indigenous education, Manuel rejected its "dominance over our lives" and argued that "only Indian people can develop a suitable philosophy of education based on Indian values adapted to modern living."⁸⁰ In the face of ongoing settler stalling, George Manuel words were prescient:

Words and wishes will not change the system. We, **the Indian People**, will have to change it by our participation and action. It is a difficult task we've set ourselves and one that requires courage and determination. We cannot afford to fall into the trap of talking big, making noise and then going back to the same old rut, satisfied to let the government run our lives for us.⁸¹

The Royal Commission on Family and Children's Law and the Native Conferences provide a unique window into how "the Indian people," in Manuel's words, experienced integrated schooling in their communities in the early 1970s. These conversations were intended to be about law reform, but Indigenous participants took the opportunity to articulate the various ways that educational policy on integration was causing ongoing harm to their children, had failed their communities, and how Indigenous people could take responsibility back. More recently, the passing of the First Nations Jurisdiction over Education in British Columbia (BC) Act in 2006 has been characterized as groundbreaking legislation respecting the inherent rights of Indigenous people to exercise jurisdiction over education in their territories.⁸² Mainstream media and government press releases have characterized these legislative milestones as the result of recent governmental progressivism, benevolence, and support of reconciliation with Indigenous peoples.⁸³ These developments, however, take on different meaning when placed in a longer and broader historical context of longstanding Indigenous complaints regarding the harms that public schooling, particularly under the guise of integration, represented for their communities. When considered in the context of the Native Conferences held in the 1970s, recent legislative developments can be more convincingly characterized, we argue, as part of a longer history of settler stalling in relation to Indigenous demands for meaningful educational sovereignty.

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Notes

- 1 See Harold Cardinal, *The Unjust Society: The Tragedy of Canada's Indians* (M. G. Hurtig Ltd., 1969); Harold Cardinal, *The Rebirth of Canada's Indians* (M. G. Hurtig, 1977); Scott Rutherford, *Canada's Other Red Scare: Indigenous Protest and Colonial Encounters During the Global Sixties* (McGill-Queen's University Press, 2020); Bryan Palmer, "The 'Discovery' of the 'Indian,'" in *Canada's 1960s: The Ironies of Identity in a Rebellious Era* (University of Toronto Press, 2009), 367–412. For histories of Indigenous activism in the period, see footnote 22.
- 2 A note here on the terms used in this paper: when referring directly to information contained within the commission sources, we use the nomenclature that the commission itself and its participants, including Indigenous people, used in the 1970s: primarily the terms "Native" or "Indian." In all other usage, we use the more contemporary designations of "Indigenous," "Indigenous people," and "First Nations."
- 3 From this point, the Royal Commission on Family and Children's Law will be referred to as the commission. Commissioners included Chairman Justice Thomas Berger, BC Supreme Court; Vice-Chairman Judge Ross Collier; Senior Social Work Consultant Mish Vadasz, Professor of Pediatrics at UBC, Dr. Sydney Segal; and Family and Child Therapist Rita Macdonald. David Cruickshank, a lawyer and part-time instructor in the Faculty of Law at the University of British Columbia (UBC) acted as the commission's research director. On Cruickshank's contributions to the commission, see Kay Alson, "Equals Before the Law: On the Road to Family Law Reform," *UBC Alumni Chronicle* 29, no. 4 (Winter 1975): 4–7. Thomas Berger was already well known in BC in the 1970s. He represented the Nisga'a First Nation in the landmark *Calder v British Columbia* case (1973), resulting in the recognition of Aboriginal title in Canadian law. From 1974 to 1977, he served as commissioner for the far more well-known federal Mackenzie Valley Pipeline Inquiry. Additionally, Berger was the New Democratic Party MP for Vancouver-Burrard in 1962–63, an NDP MLA in 1968–69, and leader of the BC NDP in 1969. From 1971 to 1983 he served as justice of the Supreme Court of BC. <https://www.thomasrberger.com/blank-page>.
- 4 The conferences lasted one to two days in each location. BC Archives (hereafter BCA), Commission on Family and Children's Law, Government Records (hereafter GR) 0487, Box 4, File 146, "Recommendations—Native Indian Conferences," 1.
- 5 British Columbia, *Tenth Report of the Royal Commission on Family and Children's Law: Native Families and the Law* (May 1975), 2. The full list of commission reports is as follows: Report 1: *Unified Family Court Pilot Project*; Report 2: *Lay Panels*; Report 3: *The Role of the Family Advocate*; Report 4: *The Family, the Courts, and the Community*; Report 5: Part 1, *The Legislative Framework*, Part 2, *The Status of Children Born to Unwed Parents*, Part 3, *Children's Rights*, Part 4, *Special Needs of Special Children*, Part 5, *The Protection of Children (Childcare)*, Part 6, *Custody, Access and Guardianship*, Part 7, *Adoption*; Report 6: *Matrimonial Property*; Report 7: *Family Maintenance*; Report 8: *Preparation for Marriage*; Report 9: *Artificial Insemination*; Report 10: *Native Families and the Law*; Report 11: *Change of Name*; Report 12: *The Medical Consent of Minors*; Report 13: *The Commission and the Community*.
- 6 Robert Whitely, "Let's Talk about Schools: Education Policy-Making in British Columbia in the 1970s and 1980s," *BC Studies* 193 (Spring 2017): 15–39.

- 7 Government of Canada, Special Joint Committee of the Senate and House of Commons, Indian Act, Minutes of Proceedings, No. 1 (King's Printer, 1947), 175, and Section 113 (b); Jim McMurtry, "The 1951 Indian Act and Integrated Schooling," in "The 1946–48 Special Joint Committee on the Indian Act and Educational Policy" (master's thesis, University of Alberta, 1985), 72–92.
- 8 Sean Carleton, "Colonizing Minds: Public Education, the 'Textbook Indian,' and Settler Colonialism in British Columbia, 1920 to 1970," *BC Studies* 169 (Spring 2011): 81–99; Jane Griffith, "One Little, Two Little, Three Canadians: The Indians of Canada Pavilion and Public Pedagogy, Expo 1967," *Journal of Canadian Studies* 49, no. 2 (2016): 171–204; John Kehoe and Frank Echols, "Improving Achievement and Other Outcomes for Urban Native Students," *Canadian Journal of Native Studies* 1, no. 1 (1994): 61–75; Jerry Paquette and Gerald Fallon, *First Nations Education Policy in Canada: Progress or Gridlock?* (University of Toronto, 2010).
- 9 On the importance of foregrounding author positionality in the history of education, see Funké Aladejebi and Crystal Gail Fraser, "Lessons in Relationality: Reconsidering the History of Education in North America," *History of Education Quarterly* 52, nos. 2–3 (2023): 154–81.
- 10 Hanna Rask, "Tracing Settler State Responsibility for Structural Harm: Canadian Human Rights Tribunal Case on First Nations Child Welfare," *Settler Colonial Studies* 2 (2024): 3.
- 11 See Helen Raptis, "Implementing Integrated Education Policy for On-Reserve Aboriginal Children in British Columbia, 1951–1981," *Historical Studies in Education/Revue d'histoire de l'éducation* 20, no. 1 (Spring 2008): 118–46; Helen Raptis, "Exploring the Factors Prompting British Columbia's First Integration Initiative: The Case of Port Essington Indian Day School," *History of Education Quarterly* 51, no. 4 (November 2011): 519–43; Eve Chapple and Helen Raptis, "From Integration to Segregation: Government Education Policy and the School at Telegraph Creek, British Columbia, 1906–1951," *Journal of the Canadian Historical Association* 24, no. 1 (2013): 131–62; Helen Raptis, "Actors, Ideas, and Institutions: The Forces Driving Integrated Education Policy in British Columbia, 1947–1951," *History of Education Quarterly* 58, no. 4 (November 2018): 537–66. An important exception here are histories of postwar schooling in the Canadian North, which has a unique history in relation to integrated schooling. See Heather E. McGregor, *Inuit Education and Schools in the Eastern Arctic* (UBC Press, 2010); Heather E. McGregor and W. P. J. Millar, "Introduction: The Territories in the History of Education in Canada: Where Are We Going? (and Why?)," in "Education North of 60," special issue, *Historical Studies in Education/Revue d'histoire de l'éducation* 27, no. 1 (2015): 4–18; Heather E. McGregor, "Listening for More (Hi) Stories from the Arctic's Dispersed and Diverse Educational Past," in "Education North of 60," special issue, *Historical Studies in Education/Revue d'histoire de l'éducation* 27, no. 1 (2015): 19–39; W. P. J. Millar, "'An Exceedingly Complex Institution': The Making of Sir John Franklin High School, Yellowknife, Northwest Territories, 1958–1967," in "Education North of 60," special issue, *Historical Studies in Education/Revue d'histoire de l'éducation* 27, no. 1 (Spring 2015): 40–56; Crystal Gail Fraser, *By Strength, We are Still Here: Indigenous Peoples and Residential Schooling in Inuvik, Northwest Territories* (University of Manitoba Press, 2024).
- 12 Helen Raptis and members of the Tshimsian Nation, *What We Learned—Two Generations Reflect on Tshimsian Education and the Day Schools* (UBC Press, 2016).
- 13 Raptis, *What We Learned*, 33–4. Raptis cites, for example, J. R. Miller, *Shingwauk's Vision: A History of Native Residential Schools* (University of Toronto Press, 1996). See also Aladejebi and Fraser, "Lessons in Relationality," on the importance of local and relational approaches in the history of education.
- 14 Raptis, "Exploring the Factors."

- 15 Raptis, "Exploring the Factors," 525; Jean Barman, "Equality Revolution, 1945–1980," in *The West Beyond the West: A History of British Columbia*, third ed. (University of Toronto Press, 2007), 297–332; Dominique Clément, *Canada's Rights Revolution: Social Movements and Social Change, 1937–1982* (UBC Press, 2009); Ross Lambertson, *Repression and Resistance: Canadian Human Rights Activists, 1930–1960* (University of Toronto Press, 2005).
- 16 Government of Canada, Special Joint Committee of the Senate and House of Commons, Indian Act, *Minutes of Proceedings*, No. 1, 175, and Section 113 (b); Jim McMurtry, "The 1951 Indian Act and Integrated Schooling," in "The 1946–48 Special Joint Committee," 79; Raptis, "Exploring the Factors," 525; Raptis, "Implementing Integrated Education Policy," 121; Helen Raptis, "A Tale of Two Women: Edith Lucas, Mary Ashworth, and the Changing Nature of Educational Policy in British Columbia, 1937–1977," *Historical Studies in Education /Revue d'histoire de l'éducation* 17, no. 2 (Fall 2005), 306–07.
- 17 John Milloy, *A National Crime: The Canadian Government and the Residential School System* (University of Manitoba Press, 1999), 189–90. See also Tarisa Dawn Little, "'There Are No Short Cuts': The Long Road to Treaty 7 Education" (master's thesis, University of Saskatchewan, 2017), especially ch. 3, "They'd Lost Everything and Were Not Qualified: Integration as the 5th strategy, 1960–2015," 59–74.
- 18 British Columbia, chapter 7, "Education," in *Tenth Report of the Royal Commission on Family and Children's Law: Native Families and the Law* (Vancouver, May 1975), 50.
- 19 H. B. Hawthorn, ed., *A Survey of the Contemporary Indians of Canada: Economic, Political, Educational Needs and Policies*, vol. II (Indian Affairs Branch, 1967), 7.
- 20 Indian and Northern Affairs Canada. *Statement of the Government of Canada on Indian Policy*, 1969.
- 21 The title was derived from a line in the Hawthorn Report which stated that Indigenous peoples "should be regarded as 'citizens plus'; in addition to the normal rights and duties of citizenship, Indians possess certain additional rights as charter members of the Canadian community." Hawthorn, ed., *A Survey of the Contemporary Indians of Canada*, 13.
- 22 On Indigenous activism in the 1960s to the current period, also see Sarah Nickel, "'I Am Not a Women's Libber Although Sometimes I Sound Like One': Indigenous Feminism and Politicized Motherhood," *The American Indian Quarterly* 41, no. 4 (Fall 2017): 299–335; Sarah Nickel, "'We're Not Going to Stop for Anything': Concerned Aboriginal Women and the Constitutional Express," *BC Studies* 212 (Winter 2021–2022): 41–64; Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (University of Minnesota Press, 2014); Keira Ladner and Myra Tait, *Surviving Canada: Indigenous Peoples Celebrate 150 Years of Betrayal* (Arbeiter Ring Publishing, 2017). See also Adam Barker, "'A Direct Act of Resurgence, a Direct Act of Sovereignty': Reflections on Idle No More, Indigenous Activism, and Canadian Settler Colonialism," *Globalizations* 12, no. 1 (2015): 43–65; Yale D. Belanger and P. Whitney Lackenbauer, eds., *Blockades or Breakthrough? Aboriginal Peoples Confront the Canadian State* (McGill-Queen's University Press, 2015); Leanne Betasamosake Simpson, *A Short History of the Blockade: Giant Beavers, Diplomacy, and Regeneration of Nishnaabewin* (University of Alberta Press, 2021).
- 23 Union of British Columbia Indian Chiefs (hereafter UBCIC), *A Declaration of Indian Rights: The BC Indian Position Paper* (November 17, 1970): 1. https://www.ubcic.bc.ca/ubcic_publications.
- 24 UBCIC, *Declaration of Indian Rights*, 25.
- 25 UBCIC, 10–11.
- 26 National Indian Brotherhood/Assembly of First Nations, *Indian Control of Indian Education* (Assembly of First Nations, 1972).

- 27 NIB/AFN, *Indian Control*, 27. Emphasis in original.
- 28 NIB/AFN, 27–31.
- 29 Joël LaForest, for example, notes that “Barrett’s legislative program was extensive. Changes included a guaranteed senior’s income, a minimum wage increase, public auto insurance, a labour code overhaul, public transit investments, a ban on corporal punishment in schools, a review of Indigenous policy, expansion of the (relatively new) national medicare system, and corporate tax hikes to finance it all.” See Joël LaForest, “In the 1970s, Social Democracy Was in Retreat. British Columbia’s NDP Fought for It Anyway,” *Jacobin Magazine*, January 3, 2021. <https://jacobin.com/2021/01/ndp-canada-british-columbia-social-democracy-dave-barrett>; Rod Mickleburgh, “That Seventies Socialism,” in *On the Line: A History of the British Columbia Labour Movement* (Harbour Publishing, 2018), 176–88; Barman, “Equality Revolution, 1945–1980,” in *The West Beyond the West*, 297–332.
- 30 The commissioners of the Royal Commission on Family and Children’s Law are listed in note 3. On the changes to laws governing child protection and welfare undertaken by the commission, see Marilyn Callahan and Brian Wharf, *Demystifying the Policy Process: A Case Study of the Development of Child Welfare Legislation in BC* (University of Victoria School of Social Work, December 1982), 15–22.
- 31 John A. Macdonald, “Family Court Reform in BC,” *Report of Family Law* 18 (1979): 201–16.
- 32 For the full list of commission reports, see note 5.
- 33 On the promise and failure of this reform, see Thomas Fleming, “From Educational Government to the Government of Education: The Decline and Fall of the British Columbia Ministry of Education, 1972–1996,” *Historical Studies in Education/Revue d'histoire de l'éducation* 15, no. 2 (2003): 210–36.
- 34 Eileen Dailly, “First Woman to Serve as Acting President of the Executive Council (1972),” <https://www.leg.bc.ca/learn/watv/biographies/eileen-dailly>.
- 35 See British Columbia, Department of Education, 1974, White Paper on education, *The Public School System: Directions for Change* (BC Department of Education); this White Paper contained Minister Dailly’s vision for a significantly more decentralized schooling system. See also Whitely, “Let’s Talk About Schools,” 6–17. On the Nisga’a Final Agreement Act, see https://www.bclaws.gov.bc.ca/civix/document/id/consol/7/consol7/99002_01. See, in particular, subsection 100, “Preschool to Grade 12 Education.”
- 36 Callahan and Wharf, *Demystifying the Policy Process*, 17–18.
- 37 Andrew Armitage, “Lost Vision: Children and the Ministry for Children and Families,” *BC Studies* 118 (Summer 1998): 94–95; Callahan and Wharf, *Demystifying the Policy Process*, 20–21.
- 38 Callahan and Wharf, *Demystifying the Policy Process*, 20–21.
- 39 BCA, Royal Commission on Family and Children’s Law, GR 0487, Box 4, File 149B, letter to Chief Adam Eneas/Peggy Taylor from the Royal Commission on Family and Children’s Law, 7–8 August 1974, 1.
- 40 It is not clear how many sent representatives. BCA, Royal Commission on Family and Children’s Law, GR 0487, Box 6, File 149D.
- 41 BCA, Royal Commission on Family and Children’s Law, GR 0487, Box 4, File 149B, letter to Thelma Marchand from the Royal Commission on Family and Children’s Law, 27 September 1974, 1.
- 42 BCA, Royal Commission on Family and Children’s Law, GR 0487, Box 4, File 146, “Recommendations: Native Indian Conferences,” 1. See also British Columbia, *Tenth Report of the Royal Commission on Family and Children’s Law: Native Families and the Law* (May 1975), 1–3. The fifteen areas discussed included general recommendations regarding social services, the Department of Indian Affairs and Northern Development

- and the Department of Human Resources, the Ombudsperson, the Protection of Children Act (apprehensions), receiving homes, group homes, foster homes, adoption, special services to children (health services), youth and the law, lay panels in provincial courts, legal services, education, job training and placements, and general recommendations.
- 43 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149C, Port Alberni Native Conference, 14 August 1974, Recommendations, 2.
- 44 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 146, Recommendations, 4.
- 45 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149A, Notes from Fort Nelson Native Workshop, 27 August 1974, 2.
- 46 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149F, Native People's Conference: Prince George, 26 May 1974, memorandum 28 May 1974, 3. By 1974, the Ministry of Education had approved a teacher education program at the University of British Columbia, the Native Indian Teacher Education Program (NITEP). Aimed at producing Indigenous teachers, the program began with fifty-four students. While little Indigenous content was included in the Faculty of Education's mainstream Teacher Education programs at this time, NITEP represented a hopeful beginning for change among Indigenous students. The NITEP program is still in place in the Faculty of Education at UBC. <https://nitep.educ.ubc.ca/>.
- 47 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 146, Recommendations: Native Indian Conferences, 18, 27.
- 48 Recommendations: Native Indian Conferences, 18.
- 49 Recommendations: Native Indian Conferences, 26–27.
- 50 British Columbia, *Tenth Report of the Royal Commission on Family and Children's Law: Native Families and the Law* (May 1975), 64.
- 51 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149D, Recommendations from Native Peoples Workshop, Vancouver, 7 August 1974, 27.
- 52 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 146, Recommendations: Native Indian Conferences, 14.
- 53 British Columbia, *Tenth Report of the Royal Commission on Family and Children's Law: Native Families and the Law* (May 1975), 53.
- 54 *Tenth Report: Native Families and the Law*.
- 55 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149A, Notes from Fort Nelson Native Workshop, 27 August 1974, 2.
- 56 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149A, Notes from Fort Nelson Native Workshop, 27 August 1974, 27–28. See also Jerry P. White, and Julie Peters, "A Short History of Aboriginal Education in Canada," *Aboriginal Policy Research Consortium International* (APRCi) (2009), 23–24.
- 57 Diane Persson, "The Changing Experience of Indian Residential Schooling: Blue Quills, 1931–1970," in *Indian Education in Canada*, vol. 1. *The Legacy*, edited by Jean Barman and Don McGaskill (UBC Press, 1986), 150–68. See also Little, "There Are no Short Cuts," 62.
- 58 We see parallels in this history with Benjamin Justice's work. Justice argues that history has shown that public schooling in America has developed as a "White good" and not truly a "public good," based on the racist treatment and exclusion of African Americans and other non-White students. In Canada, we would suggest that schooling has been primarily a White settler good rather than a public good, based on the treatment of Indigenous and non-White students. See Benjamin Justice, "Schooling as a White Good," *History of Education Quarterly* 63 (2023): 154–78.
- 59 British Columbia, *Tenth Report of the Royal Commission on Family and Children's Law: Native Families and the Law* (May 1975), 50.

- 60 *Tenth Report, Native Families and the Law*, 50.
- 61 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149D, Vancouver Indian Centre Conference, "Concerns Raised," 8 August 1974, 1.
- 62 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149D, Vancouver Indian Centre Conference, "Concerns Raised," 8 August 1974, 1.
- 63 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149D, Vancouver Indian Centre Conference, "Concerns Raised," 8 August 1974, 28.
- 64 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 146, Recommendations: Native Indian Conferences, 14.
- 65 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149A, Mish Vadasz, letter dated 16 October 1974, 1.
- 66 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149A, Mish Vadasz, letter dated 16 October 1974, 1. Emphasis added.
- 67 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149C, Memorandum re Port Alberni Native Conference from Syd Segal, 21 August 1974, 2.
- 68 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149G, Sardis Conference, 6 July 1974, Recommendations, 5.
- 69 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 6, File 149C, Memorandum re Port Alberni Native Conference from Syd Segal, 21 August 1974, 1.
- 70 Assembly of First Nations/National Indian Brotherhood, *Tradition and Education: Towards a Vision of Our Future—A Declaration of First Nations Jurisdiction over Education* (AFN/NIB), 13.
- 71 Canada, Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples*, vol. 2 (Canada Communications, 1996), 433.
- 72 Lydia Jendzjowsky, *Briefing Notes: Which Recommendations Became Law? When?* (Unpublished research notes prepared for Berger Commission Project, September 26, 2024), 1–27. Jendzjowsky notes that "given the history of British Columbia, these [recommendations] did not consider treaty nations, as this was not a reality until 2000, with the ratification of the Nisga'a Treaty," 1. The First Nations Educational Authority (FNEA), which came into being in 2022, is an independent body that assists Indigenous Bands to enact educational authority in their respective territories. See <https://fnejurisdiction.ca/>.
- 73 Nisga'a Final Agreement Act. https://www.bclaws.gov.bc.ca/civix/document/id/consol7/consol7/99002_01. See, in particular, subsection 100, "Preschool to Grade 12 Education."
- 74 First Nations Education Steering Committee (FNESC) and the First Nations Schools Association (FNSEA), *First Nations Education in British Columbia: A Handbook for First Nations Governing Authority* (June 2024), 3. <https://www.fnsea.ca/portfolio-items/handbook-for-first-nation-school-governing-authorities-2020/?portfolioCats=21%2C6%2C9>.
- 75 <https://www.fnesc.ca/about-fnesc/>.
- 76 <https://www2.gov.bc.ca/assets/gov/education/administration/resource-management/bctea/bc-tripartite-education-agreement-2018.pdf>.
- 77 Laura Forsythe, "In Search of Indigenous Educational Sovereignty" (master's thesis, Department of Native Studies, University of Manitoba, 2018), 137.
- 78 Forsythe, "In Search of Indigenous Sovereignty", 27–32.
- 79 On the historic work of the First Nations Educational Steering Committee, see <https://www.fnesc.ca/about-fnesc/>.
- 80 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 7, File 105, George Manuel, Address, 31 May 1974, 8–9.
- 81 BCA, Royal Commission on Family and Children's Law, GR 0487, Box 7, File 105, George Manuel, Address, 31 May 1974, 5. Emphasis in original.

- 82 On the First Nations Jurisdiction over Education in British Columbia (BC) Act, see <https://www.fnesc.ca/about-fnesc/jurisdiction/#:-:text=Jurisdiction%20over%20education%20is%20the,the%20education%20of%20their%20children>.
- 83 See, for example, <https://www.cbc.ca/news/canada/british-columbia/bc-first-nations-full-control-education-1.6311022>; <https://www.cbc.ca/news/canada/british-columbia/squamish-nation-votes-to-reclaim-control-of-its-education-system-1.6711409>.