# Guidebook for Teachers:







This education guide is based on research carried out on transitional justice and publicly sourced teaching materials used in Australia, Canada and Germany. These sources are referenced throughout this guide.

This guide was developed by LLM students at the Irish Centre of Human Rights, NUI Galway, in collaboration and consultation with the Clann Project, educators, academics and community stakeholders. The authors of the guide are Tomás Biggins, Jessica Howard, Helen McDonagh, Emily O'Reilly and Sija Shen. The information provided in this guide was collected by the authors who accept full responsibility for any mistakes or errors.

Recommended citation: Tomás Biggins, Jessica Howard, Helen McDonagh, Emily O'Reilly and Sija Shen, *Guidebook for Teachers: Ireland's Dark History* (The Irish Centre for Human Rights 2021).

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# Introduction

The current Leaving Certificate History Syllabus invites students to explore six topics relating to Irish history between 1815 and 1993. Two of the learning outcomes listed on the Department of Education Syllabus for Leaving Certificate History include 'recognis[ing] that historical study is concerned not just with the powerful and influential but also with the ordinary and the anonymous' and 'look[ing] at a contentious or controversial issue from more than one point of view.'<sup>2</sup>

The authors of this guide believe that learning about the abuse that women and children suffered in Magdalene Laundries, Mother and Baby Homes and Industrial Schools (henceforth Irish Institutions) is vital precisely because it exposes students to a controversial aspect of Irish history. It will allow students to become familiar with the abuse suffered by many 'ordinary and anonymous' women and children in Ireland. The fact that many of these women and children are still alive today and are still being denied several of their basic rights, makes the study of this aspect of Irish history even more important.

Institutional abuse in Magdalene Laundries, Mother and Baby homes and Institutional Schools are not currently mentioned in the Leaving Certificate History Syllabus, despite the fact that they could fall within the scope of two of the six topics which students of late modern Irish history are currently invited to explore. In Topic 4, the Irish Diaspora 1840 -1966, students are invited to study 'Irish emigration by origin, destination and type of emigrant' as well as their occupation. They are also invited to study the role of the Catholic Church in fostering a sense of Irishness amongst emigrant communities but there is no mention of Irish children being sent abroad for adoption.<sup>3</sup>

Similarly, in Topic 6, Government, economy, and society in the Republic of Ireland 1949 – 1989, Students are invited to examine social change and 'the status of women, housing, schools [and] amenities', yet, through their discussions with educators and students alike the authors of this guide learned that women's experiences in institutions were not normally discussed in Irish classrooms.<sup>4</sup>

<sup>&</sup>lt;sup>1</sup> Department of Education, 'History Leaving Certificate Syllabus' (Government Publications 2003) 15.

<sup>&</sup>lt;sup>2</sup> ibid 16.

<sup>&</sup>lt;sup>3</sup> ibid 39.

<sup>&</sup>lt;sup>4</sup> ibid 41.

Through their research, the authors of this guide have learned that education plays an important role in transitional justice and that teaching students about the dark side of a nation's history is an important aspect of ensuring non-recurrence of human rights violations. Given the important role that education plays in preserving history and preventing human rights violations, the authors of this guide realised that survivors' stories needed to be taught in Irish classrooms today. Many survivors of Ireland's Institutions are growing older, and they should not have to wait for the Department of Education to change the History syllabus to have their voices heard in classrooms. As such, the authors decided to develop a lesson plan aimed at Transitional Year students. The lesson plan, entitled Ireland's Dark History, is a two-hour long lesson which aims to teach transition year students about the human rights violations which occurred in Ireland's institutions throughout the twentieth century.

This guide allows teachers to direct the lesson. In the first section of the guide, key concepts pertaining to memorialisation and transitional justice are explained. The guide then moves on to explore how similar issues are taught in Australia, Canada and Germany. The final section of the guide is a script which educators can use in conjunction with the PowerPoint slides provided to deliver the lesson in an appropriate manner.

# Restorative Justice

# The Right to Redress

Under international human rights law, States are required to provide redress to victims of human rights abuses. The Human Rights of the women and children who were incarcerated in the institutions were violated contrary to the International Covenant on Civil and Political Rights (ICCPR), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of the Child (CRC), the Convention on the Elimination of Discrimination against Women (CEDAW), International Covenant on Economic, Social and Cultural Rights (ICESC), the European Convention on Human Rights (ECHR), the International Labour Organisation Abolition of Forced Labour Convention, International Labour Organisation Forced Labour Convention and the Universal Declaration of Human Rights (UNDHR). Ireland is party to these treaties and some of these violations are still ongoing such as

the denial of access to personal information. Although it is the State that is responsible under international law for these human rights violations, other organisations such as the Catholic Church must also be held accountable for these abuses.<sup>5</sup>

In its 2017 Concluding Observations, the Committee against Torture called for the Irish state to provide victims from the Magdalene Laundries and the Mother and Baby Homes with redress.<sup>6</sup> The UN Committee against Torture has stated that redress consists of rehabilitation, restitution, compensation, guarantees of non-repetition and satisfaction.<sup>7</sup> Redress must be adequate, comprehensive, and effective and allow for the participation of victims in the process.<sup>8</sup>

### Transitional Justice

Transitional Justice has been defined as the "full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation." It usually occurs in moments of transition from conflict and/or state oppression. It is a way to deal with the past. In 2018, Dr Maeve O'Rourke, Dr. Katherine O'Donnell and Dr James M Smith held a conference at Boston College to consider how transitional justice might help victims of Ireland's institutional abuses and help the State meet its obligations towards those victims. <sup>10</sup> There are four main approaches:

- i. truth-seeking,
- ii. reform,
- iii. reparations, and

<sup>&</sup>lt;sup>5</sup> Irish Council for Civil Liberties, *ICCL press briefing on report of the Mother and Baby Homes Commission – The wrong approach*, <a href="https://www.iccl.ie/wp-content/uploads/2021/03/Press-briefing-ICCL-analysis-of-MBHC-report.pdf">https://www.iccl.ie/wp-content/uploads/2021/03/Press-briefing-ICCL-analysis-of-MBHC-report.pdf</a>> accessed 14 April 2021.

<sup>&</sup>lt;sup>6</sup> UN Committee against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, *Concluding Observations on the second periodic report of Ireland*, 31 August 2017, CAT/C/IRL/CO/2.

<sup>&</sup>lt;sup>7</sup> UN Committee against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, *General Comment No. 3*, 13 December 2012, CAT/C/GC/3.

<sup>8</sup> Ibid

<sup>&</sup>lt;sup>9</sup> UN Security Council, *The rule of law and transitional justice in conflict and post-conflict societies: report of the Secretary-General*, 23 August 2004, S/2004/616.

<sup>&</sup>lt;sup>10</sup> A collection of essays resulting from the conference is available in the Irish Studies journal, *Éire-Ireland* (2020) 55(1&2) Towards Transitional Justice in Ireland? Addressing Legacies of Harm. The 'Testimony' article from this edited collection is available for free here: <a href="http://jfmresearch.com/wp-content/uploads/2020/10/Eire-Ireland\_Testimony-55-2020.pdf">http://jfmresearch.com/wp-content/uploads/2020/10/Eire-Ireland\_Testimony-55-2020.pdf</a> accessed 19 May 2021.

# iv. criminal prosecutions. 11

### Memorialisation

Memorialisation efforts are initiatives that states may adopt in order to provide one form of justice. They are an integral part of transitional justice. Memorialising human rights atrocities is a way to ensure that the public do not forget about the victims and the past abuses. One way of memorialising is to create a site of conscience such as The Apartheid Museum in South Africa. Another such way is to ensure that these past abuses are being taught in our schools. Any memorialisation efforts must collaborate with survivors and be survivor-centred.

In January 2020 Dr. Maeve O'Rourke submitted a letter to the UN Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence explaining the steps that individuals have taken in order to guarantee memorialisation and the state's failure to do so. <sup>12</sup> In this submission she highlights the human rights abuses suffered by those in Industrial Schools, the Magdalene Laundries and the Mother and Baby Homes. Whilst the State issued an apology to survivors of the Magdalene Laundries<sup>13</sup> and Industrial Schools, <sup>14</sup> the survivors' needs have still not been met. There has been no state accountability as "prosecutions have been almost non-existent", <sup>15</sup> inquiry bodies have not named the perpetrators, survivors have limited access to their own person information such as their name, and survivors do not have access to civil courts. <sup>16</sup>

The Report of the Commission to Inquire into Child Abuse 2009 concluded that in order that the past is not forgotten, there should be a memorial for victims of the abuses.<sup>17</sup> The Magdalen Commission made similar recommendations to establish a national museum or monument.

<sup>&</sup>lt;sup>11</sup> 'What Is Transitional Justice? | ICTJ' (International Center for Transitional Justice)

<sup>&</sup>lt;a href="https://www.ictj.org/about/transitional-justice">https://www.ictj.org/about/transitional-justice</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>12</sup> Maeve O'Rourke, 'Ireland' Experience of Memorialisation in the Context of Serious Violations of Human Rights and Humanitarian Law: A Submission to the United Nations Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence' (2020).

<sup>&</sup>lt;sup>13</sup> Dáil Éireann, Magdalen Laundries Report: Statements (19 February 2013),

<sup>&</sup>lt;a href="https://www.kildarestreet.com/debates/?id=2013-02-19a.387">https://www.kildarestreet.com/debates/?id=2013-02-19a.387</a>> accessed 14 April 2021.

<sup>&</sup>lt;sup>14</sup> RTE Archives, 'Apology for Institutional Child Abuse 1999', <a href="https://www.rte.ie/archives/2019/0430/1046590-apology-to-victims-of-institutional-child-abuse/">https://www.rte.ie/archives/2019/0430/1046590-apology-to-victims-of-institutional-child-abuse/</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>15</sup> Maeve O'Rourke (n 11) 3.

<sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> Ireland, Commission to Inquire into Child Abuse, Final Report (20 May 2009), Executive Summary,

<sup>&</sup>lt;a href="http://www.childabusecommission.ie/rpt/ExecSummary.php">http://www.childabusecommission.ie/rpt/ExecSummary.php</a> accessed 14 April 2021.

However, there has yet to be a memorial created in honour of the victims of either of these institutions. In 2018, a Collaborative Forum of Former Residents of Mother and Baby Homes was created. One of their recommendations is "inclusion of a module on Mother and Child institutions in the National History curriculum for schools and such material to be included across appropriate programmes in universities and third level college". Educational initiatives are important in order to preserve history and admit to the harm caused, meaning that it is less likely that these abuses will be repeated. 19

This is what we have done by creating a pilot programme to have the past abuses taught in Irish secondary schools across the country and to ensure that this part of history is not forgotten. This handbook includes a general lesson plan suited to schools all over Ireland and a Galway lesson plan suited particularly to schools in Galway. Each lesson plan has a suggested script for you to follow and hooks to include. It is important that students are aware of the human rights aspect and the state's obligations.

# Australia

In 2011, Australia implemented a new national history curriculum.<sup>20</sup> This new curriculum, which takes a chronological approach to teaching Australian history and contains units dedicated to precolonial history as well as modern aboriginal history, has opened up the opportunity to change the nation's understanding of Aboriginal history.<sup>21</sup> It is hoped that learning about Aboriginal peoples and their culture will improve inter-cultural relations in Australia and bring about true reconciliation for Aboriginal peoples<sup>22</sup> who have been negatively impacted by State policies such as the White Australia Policy<sup>23</sup> and the Aborigines Protection Act 1869 (VA) which led to children

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<sup>&</sup>lt;sup>18</sup> Ireland, Department of Children and Youth Affairs, *Recommendations from the First Report of the Collaborative Forum of Former Residents of Mother and Baby Homes* (December 2018),

<sup>&</sup>lt;a href="https://www.gov.ie/pdf/?file=https://assets.gov.ie/25774/085e9ecf9bb4495c94b8a21b4c143998.pdf#page=1">https://assets.gov.ie/25774/085e9ecf9bb4495c94b8a21b4c143998.pdf#page=1</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>19</sup> 'Clann Publishes Findings of Three-Year Project on Adoption and Mother and Baby Homes' (*Clann Project*, 15 October 2018) < http://clannproject.org/2018/10/> accessed 15April 2021.

<sup>&</sup>lt;sup>20</sup> Michael Westaway, 'Why Our Kids Should Learn Aboriginal History' (*The Conversation*, 13 March 2014) <a href="http://theconversation.com/why-our-kids-should-learn-aboriginal-history-24196">http://theconversation.com/why-our-kids-should-learn-aboriginal-history-24196</a>> accessed 14 April 2021. <a href="https://doi.org/10.2013/journal-history-24196">https://doi.org/10.2013/journal-history-24196</a>> accessed 14 April 2021.

<sup>&</sup>lt;sup>22</sup> 'What is Reconciliation?' (*Reconciliation Australia*) <a href="https://www.reconciliation.org.au/what-is-reconciliation/">https://www.reconciliation.org.au/what-is-reconciliation/</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>23</sup> 'White Australia Policy | National Museum of Australia' () <a href="https://www.nma.gov.au/defining-moments/resources/white-australia-policy">https://www.nma.gov.au/defining-moments/resources/white-australia-policy</a> accessed 15 April 2021.

being forcefully removed from their families and sent to reformatory or industrial schools.<sup>24</sup> These children are commonly referred to as 'The Stolen Generation'.<sup>25</sup>

Teaching about the human rights abuses which were inflicted on indigenous children in reformatory and industrial schools and the racist policies enacted by the Commonwealth Government posed new challenges for Australian teachers.<sup>26</sup> Sarah Booth, from Edith Cowan University, argues that many teachers still avoid teaching about Aboriginal peoples as it is still just one of many topics which the curriculum requires teachers to cover in detail.<sup>27</sup> This reluctance is worrying for two reasons. First of all, it suggests to students that the content is less important than other topics which are covered in class and appear in examination papers. Secondly the widespread reluctance of teachers to approach these issues may suggest that they do not have the necessary tools and knowledge to do so.<sup>28</sup> Booth provides a concise explanation for the latter explaining how gaps in the curriculums of teaching universities have a ripple effect in classrooms across the State.<sup>29</sup> Education students in Australian universities were not obliged to take modules on Aboriginal perspectives until 2013 meaning that many teachers do not feel equipped to teach about the topic.<sup>30</sup>

Since Booth published her research, various organisations including local governments and non-governmental organisations created a plethora of new resources which are accessible online and will allow teachers to amplify the voices of aboriginal and Torres Strait Islander communities.<sup>31</sup> These organisations hope that by making lesson plans easily accessible for teachers, it will enable teachers to spend more time focusing on Aboriginal history in their classrooms. Moreover, by providing materials that have been made and approved by members of Aboriginal and Torres Strait

<sup>&</sup>lt;sup>24</sup> 'Historical Context - The Stolen Generations | Bringing Them Home'

<sup>&</sup>lt;a href="https://bth.humanrights.gov.au/significance/historical-context-the-stolen-generations">https://bth.humanrights.gov.au/significance/historical-context-the-stolen-generations</a> accessed 15 April 2021.

<sup>&</sup>lt;sup>25</sup> ibid.

<sup>&</sup>lt;sup>26</sup> Westaway (n 19).

<sup>&</sup>lt;sup>27</sup> Sarah Booth, 'Teaching Aboriginal Curriculum Content in Australian High Schools' [2014] 198.

<sup>&</sup>lt;sup>28</sup> ibid.

<sup>&</sup>lt;sup>29</sup> ibid.

<sup>&</sup>lt;sup>30</sup> ibid.

<sup>&</sup>lt;sup>31</sup> 'Narragunnawali - Narragunnawali Home' <a href="https://www.narragunnawali.org.au/">https://www.narragunnawali.org.au/</a> accessed 14 April 2021.

Island communities, these organisations believe that teachers can lead the way to a more tolerant and multi-cultural society and true reconciliation.<sup>32</sup>

### The Koorie Cross-Curricular Protocol

In certain states, such as Victoria, lesson plans relating to the historical abuse of Aboriginal communities are regulated by the local government authorities who ensure that survivors' voices are heard and that a human rights-based approach to teaching is taken.<sup>33</sup> In Victoria, the Koorie Cross-Curricular Protocol was developed by the Education and Training Branch of the Victoria State Government in coordination with the Victorian Aboriginal Education Association with the aim of creating 'meaningful relationships' between students, teachers and the local Koorie communities.<sup>34</sup> In Victoria, Koorie or Koories is a collective term used to refer to both Aboriginal and Torres Strait islander communities whose traditional lands are located within the current state frontiers. Resources include videos narrated by members of local aboriginal and strait islander communities.<sup>35</sup>

The Koorie protocol is based on the following principles:

- Koorie culture is entitled to respect,
- Exposure to Koorie culture will enrich Australians and highlights the nation's unique identity,
- Koorie cultural heritage and expression is the intellectual property of Koorie people and should not be abused or replicated without permission.<sup>36</sup>

In relation to developing lesson plans, this means that teachers must ensure that any lesson they give does not damage Koorie cultural integrity. If the lesson involves replicating Koorie cultural property or heritage or visiting a site owned by or associated with a Koorie community, the teacher

<sup>&</sup>lt;sup>32</sup> Reconciliation Australia, 'Reconciliation Resources' (*Reconciliation Australia*, no date)

<sup>&</sup>lt;a href="https://www.reconciliation.org.au/resources/">https://www.reconciliation.org.au/resources/</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>33</sup> 'Koorie Teaching Resources' (Education Government of Victoria)

<sup>&</sup>lt;a href="https://www.education.vic.gov.au/school/teachers/teachingresources/multicultural/Pages/koorieresources.aspx">https://www.education.vic.gov.au/school/teachers/teachingresources/multicultural/Pages/koorieresources.aspx</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>34</sup> VAEAI, 'Aboriginal Early Childhood Cultural Protocols' (VAEAI 2020).

<sup>&</sup>lt;sup>35</sup> 'Koorie teaching resources' (n 32).

<sup>&</sup>lt;sup>36</sup> VAEAI (n 33).

must consult with local Koorie communities before engaging students in the activity.<sup>37</sup> The teacher must also acknowledge the traditional owners of the cultural and intellectual property used in the lesson plan before publishing or sharing the materials they have created. This ensures that the cultural and intellectual property rights of Koorie communities are protected and that others do not benefit financially or otherwise from Koorie traditions and culture.<sup>38</sup> If teachers have any doubts regarding the cultural and intellectual property rights of Koorie peoples, they may contact their local Koorie education coordinator. Koorie education coordinators work throughout Victoria and offer advice to teachers who have queries regarding the approvability of certain lesson plans.<sup>39</sup>

The protocol also encourages teachers to consult with Koorie communities and invite members of local communities into their classrooms to tell students about their culture. The idea behind this is the belief that no amount of study can substitute for life experience.<sup>40</sup>

### Reconciliation Australia

Reconciliation Australia is the leading organisation working to strengthen relationships between Aboriginal and Torres Strait Islander peoples and non-indigenous peoples in Australia.<sup>41</sup> The organisation works in five key interrelated areas race relations, equality, equity, institutional integrity and unity. The organisation uses various different tools to increase awareness of Aboriginal history and bring about social change. It offers several different lesson plans on its website which teachers can download for free.<sup>42</sup>

The organisation attempts to measure social change through biannual surveys. The 2020 reconciliation barometer shows that reconciliation is progressing, however, it is a slow process and there is still a lot that needs to be done. The Australian Reconciliation Barometer 2020 provides statistics based on a national sample which consisted of 495 Aboriginal and Torres Strait Islander people and 1988 general community members.<sup>43</sup>

<sup>&</sup>lt;sup>37</sup> ibid.

<sup>&</sup>lt;sup>38</sup> ibid.

<sup>&</sup>lt;sup>39</sup> 'Koorie teaching resources' (n 32).

<sup>&</sup>lt;sup>40</sup> VAEAI (n 33).

<sup>&</sup>lt;sup>41</sup> 'What is Reconciliation?' (n 21).

<sup>&</sup>lt;sup>42</sup> Reconciliation Australia (n 31).

<sup>&</sup>lt;sup>43</sup> 'Australian Reconciliation Barometer 2020' (Reconciliation Australia)

<sup>&</sup>lt;a href="https://www.reconciliation.org.au/australian-reconciliation-barometer-2020/">https://www.reconciliation.org.au/australian-reconciliation-barometer-2020/</a> accessed 14 April 2021.

According to the barometer results, 70% of the general community believe that Australia is better off with many cultural groups, yet 60% of Aboriginal and Torres Strait Islander people surveyed believed that Australia was a racist country. 44 52% had experienced at least one form of racial prejudice over the last six months. 45 The fact that only 40% of the general community members surveyed believed that Aboriginal and Torres Strait Island peoples were not responsible for their own disadvantage demonstrates why education must be incorporated as a tool for reconciliation. Historically accurate information which highlights how the Commonwealth's Government's policies violated Aboriginal and Torres Strait Islanders human rights throughout the twentieth century is needed if the general community is going to understand how past policies continue to negatively impact Aboriginal and Torres Strait Island communities today. 46 90% of the general community and 93% of aboriginal and Strait Islander Peoples think it is important to learn about past issues.<sup>47</sup>

### Narragunnawali

It is clear from the above statistics that education is a vital tool in the reconciliation process. Reconciliation Australia published lesson plans online with the approval of members of Aboriginal and Torres Strait Islander communities.<sup>48</sup> They also work with the organisation Narragunnawali who offer a large range of teaching materials for both primary and secondary school students.<sup>49</sup> The lesson plans are divided by year which ensures that the topics discussed are appropriate for the age group. Each lesson plan contains a video which is presented by Aboriginal community members. There are also questions which invite the students to reflect on what they have learned and debate topics which give students the opportunity to critically apply the knowledge they have learned.<sup>50</sup> The website also provides suggestions for collaborative art projects which schools may choose to run in conjunction with a local aboriginal or Torres Strait Island community. 51 According to the current count on the Narragunnawali website, 3,135 schools have agreed to incorporate their

44 ibid.

<sup>45</sup> ibid.

<sup>46</sup> ibid.

<sup>&</sup>lt;sup>47</sup> ibid.

<sup>&</sup>lt;sup>48</sup> Reconciliation Australia (n 21).

<sup>&</sup>lt;sup>49</sup> 'Narragunnawali—Narragunnawali Home' (n 30).

<sup>&</sup>lt;sup>50</sup> Narragunnawali, 'Narragunnawali Lesson Plan Guide'.

<sup>&</sup>lt;sup>51</sup> ibid.

lesson plans into the curriculum.<sup>52</sup> Narragunnawali also believes that these schools have the power to inform their whole communities and not just their students. For this reason, they offer guides to schools who are willing to host community film nights. The aim of these film nights is to raise awareness about Aboriginal and Torres Strait Islander communities and their rights.<sup>53</sup>

### **Education ABC**

Education ABC runs a similar initiative; however, it has a stronger focus on history and politics compared to Narragunnawali who emphasise cultural awareness and community integration.<sup>54</sup> Education ABC also utilises videos presented by Aboriginal and Torres Strait Island peoples which teachers can use to start a conversation around Australia's dark history. Lesson plans include articles and extracts from speeches made by politicians and government officials. Racism and the importance of resilience and reconciliation are also discussed in an attempt to link the historical events and issues discussed during the history part of the lesson to the challenges that Aboriginal and Torres Strait Island peoples face today.<sup>55</sup> Digibooks explaining the importance of National Sorry Day and the need for further political change and community initiatives may also be accessed. The digibooks allow students to learn through examining striking images and videos which they can analyse based on the short paragraphs of information provided in the digibook.<sup>56</sup>

# Canada

The Indian Residential School system in Canada bears many resemblances to the Irish Industrial School system. Between 1800 and 1996 approximately 150,000 indigenous children were forcibly removed from their families and sent to live in residential schools run by religious institutions. In total there were 130 Indian residential schools across Canada.<sup>57</sup> They were located in every province and territory of Canada with the exception of New Brunswick and Prince Edward

<sup>&</sup>lt;sup>52</sup> 'Narragunnawali—Narragunnawali Home' (n 31).

<sup>&</sup>lt;sup>53</sup> Narragunnawali (n 31).

<sup>&</sup>lt;sup>54</sup> 'Teach Aboriginal History and Truths in the Classroom' <a href="https://education.abc.net.au/newsandarticles/blog/b/3419994/teach-aboriginal-history-and-truths-in-the-classroom">https://education.abc.net.au/newsandarticles/blog/-b/3419994/teach-aboriginal-history-and-truths-in-the-classroom</a> accessed 14 April 2021; Narragunnawali (n 31).

<sup>&</sup>lt;sup>55</sup> 'Teach Aboriginal history and truths in the classroom' (n 53).

<sup>&</sup>lt;sup>56</sup> 'Education Resources for Schools Teachers and Students - ABC Education'

<sup>&</sup>lt;a href="https://education.abc.net.au/home#!/digibook/618742/national-sorry-day">https://education.abc.net.au/home#!/digibook/618742/national-sorry-day</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>57</sup> Kathleen Mahoney, 'Indigenous Legal Principles: A Reparation Path for Canada's Cultural Genocide' (2019) 49 The American review of Canadian studies 207, 208.

Island.<sup>58</sup> The conditions inside the schools were dire. In many of the schools, children did not receive a proper formal education and were instead forced to work without remuneration.<sup>59</sup> Children were also subjected to medical experiments and one out of every three children suffered physical, sexual or emotional abuse.<sup>60</sup> It has been estimated that approximately 6,000 children died in the schools. Rather than returning the bodies of these children to their families, several of the Institutions chose to bury them in unmarked graves.<sup>61</sup>

Many survivors of Canada's Indian Residential School System settled claims for the aforementioned human rights violations and abuse through the Indian Residential School Settlement Agreement. <sup>62</sup> In 2005, 105,000 survivors and their families settled their claims. The settlement included a common experience payment, an education fund and an individual assessment fund. <sup>63</sup> A Truth and Reconciliation Commission with a six-year mandate was also established. The Commission received \$60 million in funds to hold seven major national events as well as several smaller events in First Nations communities. The commission was also mandated to establish a research centre to house the Commission's records and documents. <sup>64</sup>

In total the Commission heard over 6,750 testimonies and statements from survivors and their families.<sup>65</sup> This information led to the creation of the 94 Calls to Action. Out of the 94 Calls to Action, 42 address institutions of child welfare, education, language, culture, health and justice.<sup>66</sup> This reflects the fact that structural change within society is needed in order to bring about true reconciliation.<sup>67</sup> Apologies issued by the Prime-Minister and the Pope were also an important step in the reconciliation process. Individual apologies from the Government of Canada to survivors who received abuse claims further demonstrated the Government's willingness to take responsibility for its past wrong doings.<sup>68</sup> Stained glass windows erected in the centre block of the

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<sup>&</sup>lt;sup>58</sup> ibid.

<sup>&</sup>lt;sup>59</sup> ibid.

<sup>60</sup> ibid.

<sup>61</sup> ibid.

<sup>&</sup>lt;sup>62</sup> ibid 209.

<sup>&</sup>lt;sup>63</sup> ibid 219.

<sup>&</sup>lt;sup>64</sup> ibid 220.

<sup>&</sup>lt;sup>65</sup> Ministry of Indigenous Relations and Reconciliation, 'Truth and Reconciliation Commission Calls to Action - Province of British Columbia'<a href="https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/truth-and-reconciliation-commission-calls-to-action">https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/truth-and-reconciliation-commission-calls-to-action</a> accessed 15 April 2021.

<sup>&</sup>lt;sup>66</sup> Truth and Reconciliation Commission of Canada, 'Truth and Reconciliation Commission: Calls to Action' (2015).

<sup>&</sup>lt;sup>67</sup> Mahoney (n 56) 220.

<sup>&</sup>lt;sup>68</sup> ibid 222.

Government buildings in Ottawa also act as a constant reminder of the State's role in the residential school system and Canada's dark history. The stained-glass window, which was designed by an indigenous artist, was selected by a committee which was comprised of survivors of the residential school system and indigenous art experts.<sup>69</sup>

The 94 Truth and Reconciliation Calls to Action are an important tool which teachers can use in the classroom. Teachers can invite their class to choose an action and develop a project based on the action. This shows students that they have the power to bring about change and that everybody needs to work together in order to bring about true reconciliation.<sup>70</sup>

### Canadian Geographic Education Plan

Canadian Geographic Education offers resources which allow students to visualise how widespread Canada's Indian Residential School system was and calculate the distance that children from different reservations had to travel to get to residential schools.<sup>71</sup> The teaching guide that goes along with the Atlas suggests various age appropriate activities which teachers can use to engage students in different years, as well as questions to make students think more in depth about what happened and how those involved must have felt.<sup>72</sup> Examples of these questions include;

- 'Why was the [residential school] curriculum designed as it was?'
- 'The residential schools influenced the children in ways beyond the academic curriculum. How did policies regarding dress and hairstyle fit into the goals of the program?'<sup>73</sup>, and
- 'The removal of children from their parents and their community can be viewed as a type of forced migration. Discuss if this was designed as a temporary migration. Did the

<sup>69</sup> ibid.

<sup>&</sup>lt;sup>70</sup> James Miles and others, 'What Can I Contribute to Meaningful Reconciliation? Teaching and Learning about Residential Schools' (Grand Erie District School Board).

<sup>71 &#</sup>x27;Indigenous Educational Resources - Canadian Geographic Education'

<sup>&</sup>lt;a href="http://www.cangeoeducation.ca/resources/indigenous\_resources/">http://www.cangeoeducation.ca/resources/indigenous\_resources/</a>> accessed 14 April 2021.

<sup>&</sup>lt;sup>72</sup> Canadian Geographic, 'IPAC Atlas Guide'

<sup>&</sup>lt;a href="http://www.canadiangeographic.com/educational\_products/activities/ipac\_gfm/IPAC\_Atlas\_TG\_ENG.pdf">http://www.canadiangeographic.com/educational\_products/activities/ipac\_gfm/IPAC\_Atlas\_TG\_ENG.pdf</a> accessed 14 April 2021.

<sup>&</sup>lt;sup>73</sup> ibid 10.

authorities hope the children would return to their communities when they completed their schooling? Why or why not?'<sup>74</sup>

Quotes and images of the schools and survivors are also provided as educational resources. Certain quotes highlight the role that the State played in facilitating the human rights abuses which occurred in the residential schools. One example of this is a quote from Duncan Campbell Scott who worked at the Department of Indian Affairs in 1920:

I want to get rid of the Indian problem. I do not think as a matter of fact, that the country ought to continuously protect a class of people who are able to stand alone... 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, that is the whole object of this Bill.<sup>75</sup>

Quotes from survivors of the residential school system clearly demonstrate how much the community suffered as a result of the State's Indian Residential School Policy. They highlight how it was not just those who were sent to the schools who had their rights taken from them. Their parents and siblings also suffered as a result.<sup>76</sup>

The Canadian Geographic activity guide also recommends that teachers talk to students about self-care before and after giving lessons on residential schools and the treatment of indigenous peoples. It further suggests reflective based activities throughout and for students to keep a diary.<sup>77</sup>

Other resources available to Canadian teachers offer similar lesson plans and make use of historical documents such as newspaper articles and speeches as well as interviews with indigenous communities and videos presented by indigenous peoples.<sup>78</sup>

<sup>&</sup>lt;sup>74</sup> ibid 11.

<sup>&</sup>lt;sup>75</sup> 'Indigenous Educational Resources—Canadian Geographic Education' (n 70).

<sup>&</sup>lt;sup>76</sup> ibid.

<sup>&</sup>lt;sup>77</sup> Canadian Geographic, 'Residential Schools Activity Guide'.

<sup>&</sup>lt;sup>78</sup> Please see <a href="https://www.canadashistory.ca/education/lesson-plans/first-nations-diary-documenting-daily-life">https://www.canadashistory.ca/education/lesson-plans/first-nations-diary-documenting-daily-life</a>, <a href="https://www.fnesc.ca/wp/wp-content/uploads/2020/07/PUBLICATION-IRSR-12-pt-1-rev-2b-Full-Document-2020-07.pdf">https://www.fnesc.ca/wp/wp-content/uploads/2020/07/PUBLICATION-IRSR-12-pt-1-rev-2b-Full-Document-2020-07.pdf</a>, <a href="https://www.facinghistory.org/stolen-lives-indigenous-peoples-canada-and-indian-residential-schools/historical-background/traditional-education">https://www.aadne-aandc.gc.ca/DAM/DAM-INTER-</a>

# Germany

The persecution and mass murder of millions of European Jews as well as other groups by the German Nazi regime between 1933 and 1945 is known as the Holocaust. Nazi leader Adolf Hitler viewed Jews as an inferior race and a threat to German racial purity. His "final solution" during WWII involved mass killings in concentration camps in Germany and in parts of German-occupied Europe. The infamous Auschwitz-Birkenau camp was located in Poland. Six million Jews and five million others died in the Holocaust. More than one million of those who perished were children.<sup>79</sup>

After WWII, the Allies imposed a new education programme aimed at creating and sustaining a democratic Germany. This process was called "Denazification". This abetted a culture of silence which was not broken until the 1960's. In what became known as the '68 movement, a clash broke out in West Germany. Students had become frustrated by their relatives' inability to talk about WWII. They demanded dialogue with their parents about the war and their participation in the Holocaust. It was only successful in the private sphere, but it laid the groundwork for future public discussion.<sup>80</sup>

Holocaust education has gained importance over the last 30 years. This is due to new generations of teachers, public discourse, memorialisation, major debates and the TV series "Holocaust" which aired in 1979 and brought awareness to a taboo subject.<sup>81</sup>

Education "is the institution that bears the greatest responsibility for instilling values in the masses to equip them with agency to oppose barbarism". 82 Students must be provided with a consciousness of human rights. Holocaust education has two goals -to instruct the public never to forget and to

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https://www.socialstudies.org/sites/default/files/resources\_-\_indigenous\_peoples\_of\_canada.pdf

<sup>&</sup>lt;sup>79</sup> History.com Editors, 'The Holocaust' (*HISTORY*, 25 January 2021)

<sup>&</sup>lt; https://www.history.com/topics/world-war-ii/the-holocaust> accessed 18 April 2021.

<sup>&</sup>lt;sup>80</sup> Kelly Bunch, Matthew Canfield, Birte Schöler, 'The Responsibility of Knowledge: Developing Holocaust Education for the Third Generation' (*Humanity in Action*, 2011)

<sup>&</sup>lt;a href="https://www.humanityinaction.org/knowledge\_detail/the-responsibility-of-knowledge-developing-holocaust-education-for-the-third-generation/">https://www.humanityinaction.org/knowledge\_detail/the-responsibility-of-knowledge-developing-holocaust-education-for-the-third-generation/</a> accessed 18 April 2021.

<sup>81</sup> Frontline, 'Holocaust Education in Germany: An Interview' (PBS, 31 May 2011)

<sup>&</sup>lt;a href="https://www.pbs.org/wgbh/pages/frontline/shows/germans/germans/education.html">https://www.pbs.org/wgbh/pages/frontline/shows/germans/germans/education.html</a> accessed 18 April 2021.

<sup>&</sup>lt;sup>82</sup> Bunch et al (n 79).

develop competencies so that it never happens again. Holocaust education is a tool for teaching democracy whilst Human Rights education gives the power to act.<sup>83</sup>

In Germany the sixteen federal states set their own curricula, however there is some collaboration. 84 High school students are required to take classes on 20th century German history which includes the Nazi era and the Holocaust. 85 The Holocaust also appears in classes on literature, religion, biology, art and music. The German perspective is always included 86 - education must avoid desensitization. 87 It is important that Holocaust education does not just look only at history 88 and students are encouraged to make modern connections such as to the treatment of refugees. 89

There are limitations, however, to the depth of Holocaust education in Germany. Most students have two hours of history class a week. The Holocaust is only covered briefly until the 10th grade (16yo). Only one third of students continue to the 11th/12th/13th grades. In reality, there is not much time for teaching the Holocaust. However, students can avail of extra-curricular activities such as visits to museums and concentration camps. This is often dependent on the commitment of teachers. It seems knowledge of the Holocaust is seriously lacking among adolescents and that increased teaching efforts are needed. On the 60th anniversary of WWII a poll was taken – half of young Germans did not know what the Holocaust was. In the digital age, children have access to all forms of social media. The guidance of teachers is crucial to counteract revisionist history. It is often the case that parents are lacking knowledge and also need Holocaust education. 90

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<sup>83</sup> ibid.

<sup>&</sup>lt;sup>84</sup> Lindsey Johnstone, 'Holocaust Remembrance Day: how are Europe's children taught about the Holocaust?' (*euronews*, 10 February 2020)

<sup>&</sup>lt;a href="https://www.euronews.com/2020/01/27/holocaust-remembrance-day-how-is-the-holocaust-taught-in-your-country">https://www.euronews.com/2020/01/27/holocaust-remembrance-day-how-is-the-holocaust-taught-in-your-country</a> accessed 18 April 2021.

<sup>&</sup>lt;sup>85</sup> Emily Schultheis, 'Teaching the Holocaust in Germany as a Resurgent Far Right Questions It' (*The Atlantic*, 10 April 2019)

<sup>&</sup>lt;a href="https://www.theatlantic.com/international/archive/2019/04/germany-far-right-holocaust-education-survivors/586357/">https://www.theatlantic.com/international/archive/2019/04/germany-far-right-holocaust-education-survivors/586357/</a> accessed 18 April 2021.

<sup>&</sup>lt;sup>86</sup> Johnstone (n 83).

<sup>&</sup>lt;sup>87</sup> Bunch et al (n 79).

<sup>88</sup> ibid.

<sup>89</sup> Johnstone (n83).

<sup>&</sup>lt;sup>90</sup> Frontline (n 80).

Guilt and simplified comparisons act as challenges to Holocaust education but there are also pragmatic obstacles. These include the inconsistency of Holocaust education, the absence of a standardised/specific Holocaust education requirement, regional differences, absence of teacher training and cultural divisions. Tools and literature exist but disconnects remain between programs developed to help teachers and the implementation of their methodology in the classroom. Structural inconsistency and teacher responsibility also play a part. High academic achievers attend the Gymnasium while other students attend the Hauptschule and Realschule. This division makes it hard to regulate Holocaust education. Students are often further separated into homogeneous groups. There are also differences between the East and West of the country and Bunch et al contend that the emphasis is placed on the political victims of war. Another obstacle to Holocaust education is the absence of Jews and Jewish culture in German education. One must be careful in a multicultural classroom as there may be many different reactions by students with varied backgrounds.<sup>91</sup>

Holocaust Education must involve more disciplines than history. Teachers are encouraged to use an interdisciplinary approach. The strength of this interdisciplinary work method lies in bringing together knowledge, perspectives and methodology from several different fields to create a new knowledge and understanding that is deeper than the insight that can be achieved by studying the areas separately. This approach is necessary to examine how the Holocaust has affected the past and present generations' understanding of, and commitment to, human rights.<sup>92</sup>

Holocaust education in Germany is focused on personalization, self-reflection and peer review/assessment. For example, the collage method uses a collage of historic events and asks students to pick one that has meaning for them and to share its significance. Students will automatically draw parallels to either their personal history or the present. The Anne Frank centre in Berlin is believed to be so popular because people recognise Anne Frank's face. In the US, this concept is known as facing history and ourselves. In Germany, it is called "Konfrontationen". It

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<sup>&</sup>lt;sup>91</sup> Bunch et al (n 79).

<sup>&</sup>lt;sup>92</sup> European Union Agency for Fundamental Rights, 'Excursion to the past-teaching for the future: Handbook for teachers' (*FRA*, 2010)

<sup>&</sup>lt;a href="https://fra.europa.eu/sites/default/files/fra\_uploads/1218-Handbook-teachers-holocaust-education\_EN.pdf">https://fra.europa.eu/sites/default/files/fra\_uploads/1218-Handbook-teachers-holocaust-education\_EN.pdf</a> accessed 19 April 2021.

emphasizes the idea of choice. This is an important form of empowerment and avoids guilt and escapism. It is similar to anti-bias education which was adopted by South Africa to "re-educate" after Apartheid. It looks at both victims and perpetrators. It is designed to make children aware of how they think and of the differences that create bias. In addition, "Schule Ohne Rassimus" (Schools without Racism) is a nationwide programme with over 2,800 participating institutions.<sup>93</sup> In May 2005, the "Monument to the Murdered Jews of Europe" was erected with the aim of "remembering the past for the future".<sup>94</sup>

Some special history courses include a visit to a concentration camp. These visits are even compulsory in Bavaria. It is said that "facing up to the grim truth of what took place is the only path to reconciliation". 95 Concentration camps are "institutions of memory". They play an important, unique role on educating people on the Holocaust. They "bear witness to the unthinkable crimes that took place on their grounds and expose people to the visceral discomfort associated with being in a former concentration camp". 96 The role of such an institution is to show the history of that site in a way that is a fair description, a fair understanding of what happened there. They are there as a physical reminder – never again. In Germany, far-right populist party "Alternative for Germany" has been downplaying the history of the Holocaust, debating the experiences of survivors and minimalizing the crimes committed by the Nazis. Memorials must balance their role as apolitical sites of memory with the responsibility to defend the values they represent. Survivors are an integral part of preserving the experiences of the Holocaust, but they are dying. Alex Drecoll, director of the Sachsenhausen Memorial, believes that "consensus for a peaceful and a rule-based existence is strongly based on the fact that we keep our critical reckoning with the past alive". 97 The role of education is to protect the integrity of history. Memorialisation is not just about educating people solely on history but by helping them to understand connections to contemporary politics and society.<sup>98</sup>

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<sup>&</sup>lt;sup>93</sup> Schultheis (n 84).

<sup>&</sup>lt;sup>94</sup> Bunch et al (n 79).

<sup>95</sup> Johnstone (n 83).

<sup>&</sup>lt;sup>96</sup> Schultheis (n 84).

<sup>&</sup>lt;sup>97</sup> ibid.

<sup>98</sup> ibid.

The responsibility the Holocaust instills is far greater than simply learning the facts. In Germany, Holocaust and Human Rights education give students the requisite tools needed to live in a pluralistic society, complicated by the history of discrimination.<sup>99</sup>

# Conclusion

This guidebook has outlined the vital role that education plays in memorialisation and transitional justice. Unlike their counterparts in Australia, Canada and Germany, the survivors of historical abuses in Ireland are still being denied their basic rights including their right to identity and their right to justice. The Irish State has not carried out an independent investigation into the historical abuses which occurred in the Magdalene Laundries, and survivors have not been offered access to the evidence gathered by commissions of inquiry into Mother and Baby Homes or Industrial Schools. In Australia and Canada, truth telling commissions have allowed survivors' stories to be recorded and are considered to be an important step in guaranteeing non-recurrence. The information gathered through these truth telling commissions facilitated the development of human rights based educational resources which amplify the voices of survivors. Similarly, in Germany, the German State has recognized the importance of teaching students about the Holocaust in order to avoid repetition. Despite positive examples in other states such as the three examined in this guidebook, the Irish State continues to delay the development of sites of conscience and has made no attempt to incorporate historical abuses into the national Leaving certificate curriculum. The authors of this guidebook do not believe that survivors can depend on the State to introduce this important topic into the national curriculum in a timely manner and it is for this reason that they embarked on this project and have developed a lesson plan on Ireland's dark institutional history.

### Further Resources:

https://www.holocausteducation.org.uk/teacher-resources/materials/

https://www.facinghistory.org/resource-library/teaching-holocaust-and-human-behavior/holocaust-bearing-witness https://fra.europa.eu/sites/default/files/fra\_uploads/1218-Handbook-teachers-holocaust-education\_EN.pdf

https://www.holocaustremembrance.com/sites/default/files/inline-files/IHRA-Recommendations-Teaching-and-

Learning-about-Holocaust.pdf

<sup>&</sup>lt;sup>99</sup> Bunch et al (n 79).

The authors of this guide would like to thank the following people for their contributions;

- Dr. Sarah Anne Buckley, PHD, Lecturer in History NUI Galway
- Marilou Charron, MA, History Teacher, QC Canada
- Cormac Davey, Advisor, Professional Development Service for Teachers
- Joshua Dolman, MA, Civics and Political Science Teacher, ON, Canada
- Beth Doherty, Leaving Certificate Student
- Fionna Fox, Community Organiser, Solicitor, Second Generation Survivor
- Mary Harney, BA, MA, Hon. MPhil, LLM, Community Organiser, Survivor
- Rowan Hickie, BA, LLB, LLM Candidate
- Kelly Ledoux MA, JD, LLM
- Melanie Lynch, Activist, Entrepreneur, Director of Herstory www.herstory.ie
- Dr. Maeve O'Rourke, LLM, PHD, Director of the International Human Rights Law Clinic at the Irish Centre for Human Rights, NUIG
- Emily Smith, MA, Civics and Politics Teacher, ON, Canada
- Grace Tierney, Development and Engagement Officer, ICCL

We gratefully acknowledge and hope to assist with Mary Harney's proposal for a Speakers' Bureau of Survivors who would visit schools to teach this crucial history.

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