

SATURDAY, JUNE 21, 2008

## An Historic Non-Apology, Completely and Utterly Not Accepted



### *An Historic Non-Apology, Completely and Utterly Not Accepted*

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The Maze of Rhetoric

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We hope our title is sufficiently unequivocal to convey our reaction to the events of Wednesday June 11, 2008. Maybe by example we can show how one must approach issues which require the utmost clarity. On the other hand, this probably won't work, especially when it's clear the predominant intention behind a communication is to obscure. Whatever... in any event, for us, sitting on a spiky metal fence is uncomfortable posture.

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We listened with attention to what Stephen Harper had to say yesterday, and we did not hear what we needed to hear. Instead, again we watched and heard one more opportunity being thrown away, this one with more ceremony than those preceding it. We watched and heard the studious avoidance of truth, in what we can only regard as the hope that the repetition of a lie will somehow substitute for reality, a concept now

reduced to another mantra (as is nowadays the case for, for example, “truth” or “reconciliation”).

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To those surprised or appalled by our reaction, or to people who simply have no idea that there’s an issue here at all, let us begin by pointing to at least a few of the facts we had to keep in mind when listening to the statement of the current head of a political process that has, since its origin (Confederation in 1867), had the elimination of aboriginal peoples as its consistent policy:

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(1) the “settler” population of Canada has had, from the point of its inception, a qualitatively different relation with indigenous peoples than the remote colonial bureaucracy that preceded it: for England, the Indian Nations were allies (who, arguably, saved Canada on more than one occasion); for the newly-formed Dominion of Canada, they were impediments to expansion, like swamps and vermin. However, in the transfer of authority, the Dominion was honor-bound to respect them, their rights, and their historical status.

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(2) with legal and ethical limits placed upon their treatment of indigenous nations (so that, for example, the Dominion couldn’t just set out to slaughter them all, as became the policy in the United States), tactics had to be adopted that had the effect of extermination without giving its appearance (and the British empire had many models to emulate, particularly Tasmania). A simple but accurate characterization of the array of government programs, policies, and laws aimed at indigenous peoples and nations, then, is that they were a range of “carrots” and “sticks” deployed to turn those of us (if any) who survived these artifices from “Indians” into “Canadians” (or, after the era of multiculturalism began, “Indian-Canadians”). Residential school was only one of those programs, one that was heavy on the “stick” and light on the “carrot.”

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3) church officials and government officials have, from time to time since the mid-1980’s, offered what they (and others) have characterized as “apologies.” These have not been apologies. An apology is not made an apology by the person offering it saying it is an apology; it is only an apology when those who have been offered it accept it as an apology. The fact that the rhetoric of pseudo-apologies has become more twisted as time has gone on should make all of us vigilant against immediately accepting what sounds like an apology without careful examination of exactly what was said, how it was said, and what was not said. And repetition is not an argument.

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So, what happened Wednesday afternoon? Stephen Harper described the history of actions undertaken by the government of Canada against the children of indigenous peoples, specifically, their forcible removal from their families and communities and their placement under the unsupervised control of four major Canadian churches. Various aspects of these actions, characterized as “abuse” (including physical, mental, and sexual abuse), were enumerated, followed by variations on the refrain of “for this, we apologize” (or “we are sorry”) and “we were wrong” (or “this should never have happened”). That it happened was attributed to bad, arrogant attitudes of superiority. Finally, when mention was made concerning where “we” go from here, the upcoming

work of the so-called “Truth and Reconciliation Commission” was proffered as the most appropriate forum. Afterwards, this performance was, by-and-large, repeated by the leaders of the other political parties.

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The presentation was offered with every indication of honesty and sincerity. We do not doubt the honesty of what was said, for reasons we will give below. But for those who take honesty as evidence of truth, it would be good to remember what Marx once said: “The secret of life is honesty and fair dealing. If you can fake that, you’ve got it made.” Groucho Marx, that is.

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So what’s our problem? Actually, we have several: we did not hear an apology, we dispute characterizations that were made, and we do not believe the putative mechanism of resolution (the “Truth and Reconciliation Commission”) will resolve anything useful.

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An apology has at least three characteristics (some people will say there are more, some will list more specific traits... this doesn’t matter for present purposes). The absence of any of these three characteristics immediately disqualifies a statement as an apology: a sincere expression of remorse for the behavior, the promise never to repeat the behavior, and the undertaking to undo, as far as possible, the damage done by the behavior.

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“Well,” we hear some say, “the first condition was obviously met... we all heard Mr. Harper recount a comprehensive list of offenses, halting at each one and saying ‘Canada apologizes’ and ‘it was wrong,’ didn’t we?”

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Suppose, after beating his wife to the point of hospitalizing her, a man attempted to make amends in the following manner: “I’m sorry I gave you a black eye... it was wrong; I’m sorry I chipped your teeth... it never should have happened; I apologize for breaking your arm... it never should have happened; I apologize for bruising your ribs... it was wrong;” and so on.

Does this sound odd to you? It does to us. Why would anyone choose to express his remorse in such a fashion? In “apologizing” to his wife, has the man adopted this manner of speaking, perhaps, to be more thorough (the list could go on and on...)? We think not. In this instance, the specificity of the list helps him avoid saying something, something more comprehensive, something more general, but in this case, something much more accurate: “I’m sorry I physically assaulted you. It was a criminal action on my part.”

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We don’t believe Prime Minister Harper adopted this obscurantist form of address to be more comprehensive; we believe he did so to avoid saying I’m sorry the Canadian government committed genocide against you. It was a criminal action on our part. (Of course, Mr. Harper was unauthorized to avoid saying something similar on behalf of the churches; they’ve been doing their own artful dodging for years.)

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Consequently, if we’re right the sincerity of what was said evaporates as an apology for

residential schooling. Thus it was no apology at all, but bluff and continued evasion. We believe he said what he said honestly; that is, that he sincerely believed in what he was saying, but only because, for the governments and individuals he was representing (past and present), he had to craft an evasive statement that he could, in all sincerity, endorse. Did Mr. Harper, all on his own, come up with this muddled, tortured declaration right off the cuff, or perhaps just a few minutes before he came down the stairs with his escorts in tow? Well, since Indian Affairs Minister Strahl has been telling us for weeks now what Harper was going to say, we doubt it. We also doubt that the Conservative party didn't have a team of lawyers, rhetoricians, and spin doctors, if not writing the statement, at least agonizing over every phrase, every word, every revelation in the evolving document, considering in detail every implication and weighing each possible consequence. Someone was even counting the number of words. No, what we saw was carefully considered, and when such a carefully prepared and comprehensively vetted document does some things (and not others) it is no accident.

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So then, is our "belief" about what Mr. Harper was evading correct? We had no trouble seeing through the Prime Minister's tortured prose because we're well aware of related issues (such as the ones we began this essay with) that are no part of what the average Canadian is supposed to know and what government and church officials know all too well: the United Nations Genocide Convention and Canada's role in it.

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Take a moment and judge for yourself: go online (if you're not online already) and find the text of the UN Genocide Convention. If you know anything about the internet you'll have no trouble finding it; we give the text of Article II below: Art. 2. In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

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(a) Killing members of the group;

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(b) Causing serious bodily or mental harm to members of the group;

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(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

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(d) Imposing measures intended to prevent births within the group;

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(e) Forcibly transferring children of the group to another group.

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Many of you will be reading this for the first time. You aren't supposed to be reading it at all. We call attention to sections (b) and, especially, (e), which we call the "Slam Dunk." If pressed we'd be willing to argue the entire list, but we don't have to: the Article says any, not all. Even Mr. Harper in his statement comes perilously close to the Slam Dunk a couple of times:

"...very young children were often forcibly removed from their homes..."

and "...it was wrong to forcibly remove children from their homes and we apologize for having done this."

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Was he, in subconscious guilt, aping a phrase he had read a million times before with the understanding he must avoid it at all costs? ... or, perhaps, intentionally teetering along the edge of a precipice, in order to mock the dozen or so of us who were waiting to see if he used the correct word? We don't know. He creeps into another neighborhood (b) once again when he mentions:

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"...emotional, physical and sexual abuse and neglect of helpless children..."

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but that's as close as he gets to any of the other categories of acts constituting genocide in international law. It isn't crucial, however; we already have the Slam Dunk.

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Well, isn't there some way around this... this... embarrassing fact? No. One of the contributors to the current document wrote a book 14 years ago that established the genocide that was Indian residential schooling, and the absence of ways around it was thoroughly dealt with there. However, no one read it then and no one is going to read it now (although it's still available in print form, and free on the internet at <http://www.nativestudies.org/>), particularly when we've gone and spoiled the ending for everyone.

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But then, is there no "responsible" authority (not just a dozen or so Indians, and worse, Indian-lovers, who can read and add and reason) who can tell you, our present readership, whether our "interpretation" is right or wrong? (Over the years, time and again, work on this issue has been slighted by phrases like "X believes that the residential schools were genocide," or "In X's opinion, Canada and the churches are guilty of genocide," like it was some disputable quirk on X's part that is at issue. Well, it's the United Nations "opinion," as expressed in the black-and-white of the Convention, that Canada and the churches committed genocide, and the UN is the body that in 1948 got to say what genocide was.) Okay. In support of our "interpretation," we call what all must agree is a "responsible" authority... the government of Canada.

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Also available on the above web site is a paper that provides more detail and references concerning Canada's disreputable collusion with the United States in gutting a form of the genocide convention that would have been much more explicit with respect to the point we're making. The current convention is a watered-down version of the proposals of Raphael Lemkin (the man who coined the term "genocide" in 1944), but even watered down it is sufficient. So sufficient that, when it came time to implement the Genocide Convention in Canada's criminal code (which was what each nation of the United Nations was supposed to do), Canada omitted entire subsections of the UN Convention (by 1970, (b), (d), and (e) were gone, Canada telling anyone who asked that the laws against murder and manslaughter already banned genocide – reducing genocide, as they discussed in the early 50's, to outright killing). No less an authority than eventual Prime Minister Lester Pearson had suggested that surgery had to be performed on the UN Genocide Convention, or otherwise Canada and its churches would be in violation of it... and, for heavens' sake, Indians might someday learn to read!

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It's true that even the Convention as articulated provided sufficient wiggle room to allow countries to adopt modified versions of it. But, as remarked by a commentator who first encountered the Convention last Wednesday, Canada's excisions and elisions betoken a guilty conscience about what it had been up to. After all, this is what the US, with Canada's aid, had forced through the conference dealing with this particular issue, and if it was good enough in principle for everyone else in the world, why was it inappropriate for Canada?

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Finally, sometime in the late 1990's, Canada quietly, surreptitiously, and without ceremony removed genocide as a chargeable offense from its criminal code, leaving mention of it now solely in the provisions against hate crimes.

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We find it interesting how closely the vaporization of genocide in Canadian law coincided with rising consciousness in Native America on the distance between what international law said and what governments had done, and with a government-commissioned secret study that warned the Chrétien government that Canada was liable with respect to the "genocide issue" and recommended it bite the bullet and 'fess up. As always, Canada provided itself with some explanatory "wiggle room" about why they did what they did, but we would certainly like to ask some direct questions of the officials involved, as well as examine documents and internal correspondence on these subjects (but see below). But, to summarize in a fashion both short and blunt, the history of Canada's involvement in the creation and implementation of genocide law, nationally and internationally, betokens an overriding concern with its culpability and liability with respect to its treatment of indigenous peoples in general, and its operation of Indian residential schools in particular.

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So, Canada itself agrees that our reading of the UN Genocide Convention is correct, and that it accurately characterizes its behavior towards Native Peoples.

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Okay, you might say, Canada's behavior is at variance with international genocide law... but didn't implementing what they did, however maimed and deformed, into Canadian law remove all future problems? After all, aren't their actions simply a version of what the United States, also worried about the possibility of being charged with genocide, undertook... adopting a limited version of the Convention, finally, at the end of the Regan administration, and then subjecting it to interpretation by American courts?

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It's true it was pure evasion, but it isn't true that it lets Canada off any hook. Apart from the "guilty conscious" their behavior evidences, putting aside any question of legal liability that might or might not be attached, and forgoing any discussion of what jurists have long ago established concerning the priority of international law (e.g., that countries and government officials can't exempt themselves from accountability to international law); instead of all that, just ask yourself: was it merely the failure of the corrupt powers of Rwanda (or Slobodan Milosevic) to exempt themselves (or himself) from the Genocide Convention that got them (or him) into trouble? Suppose the Genocide Convention was in force during the Holocaust... would Hitler's declaring himself and his chums "immune" have rendered it inoperative? Is that the length the

average Canadian is willing to have her or his government go to avoid having to deal with its genocide of indigenous peoples?

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It has taken us some time, but Mr. Harper's statement:

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"...it was wrong to forcibly remove children from their homes and we apologize for having done this." ...must be amended to say:

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"...it was wrong for the government of Canada to forcibly remove children from their homes and we apologize for having done this. And it was a crime."

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Bank robbers, thieves, drunk drivers... all criminals, in fact... don't get to erase their crimes by saying "I'm sorry," regardless of how sincerely they might say it.

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Genocide on the Table

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A television snippet from country-wide reaction on Wednesday featured Diane Blair crying out "It was genocide! Why not just admit it?!"

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A fair question, and one well-put. As we have seen, Mr. Harper could have used the term, and it was a deliberate act not to. What motivated him? Without too much thought we can see several reasons, grounds sufficient for us to have anticipated long before Wednesday's circus that what we weren't going to hear would be a genuine apology. To answer the woman's question, first, keep on reading the Convention; immediately you will find:

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Art. 3. The following acts shall be punishable:

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(a) Genocide;

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(b) Conspiracy to commit genocide;

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(c) Direct and public incitement to commit genocide;

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(d) Attempt to commit genocide;

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(e) Complicity in genocide.

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Art. 4. Persons committing genocide or any of the other acts enumerated in Article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

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So we have Reason 1: rulers, public officials, and private individuals, criminals all, prefer to avoid being punished for their actions. It is very common, we think, for criminals to not want to be punished. In most cases, however, and unlike the case under consideration (i.e., the Indian residential schools), criminals are not in charge of

the political, economic, legal, and journalistic controls of a nation. Journalistic control, of course, is particularly necessary if one is going to maintain the manufactured ignorance of multiple millions of Canadians.

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Reason 2: Canada has held other nations accountable to a standard of international law that it has itself evaded. That is hypocrisy. Canada wants to complain to China about its human rights abuses; it does not want its own abuses thrown back into its face.

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Reason 3: Assaults, rapes, and every other form of abuse expire in national law, perhaps even in international law, according to their Statute of Limitation. Genocide has no Statute of Limitation. -

Reason 4: Canada presents itself as a good world citizen, a paragon of virtue. However, a country that bears comparison with Nazi Germany is a paragon of virtue like Charles Manson is a boy scout leader.

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Reason 5: Speaking like a psychologist for a moment, abusers frequently tell themselves they have good grounds for the abuses they perpetrate. Often they repeat the lie to themselves with such regularity that they come to believe it.

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Reason 6: This is a reason the head of the United Church gave us in a public meeting in 2002: “genocide” is such a harsh word that the membership of his church would be upset by its use, however appropriate. Thus, it’s better to perform genocide than give it its proper name. So perhaps Canada is similarly just thinking about the tender sensibilities of its real citizens, and not those of its pseudo-citizens against whom the genocide was implemented.

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Reason 7: The lengths Canada has gone (first, to limit the definition of genocide, and second, to obstruct every way there might have been for indigenous peoples to even raise it as an issue) shows the fear that, if the governments and churches show “weakness,” Indians will treat them with the same rapacity Westerners show weaknesses detected in one another. That is, that Indians will behave like Westerners (the irony that this transformation is what the residential schools were trying to institute has not escaped our notice). It is to our credit that there is no evidence at all that we would behave in such an inhuman manner. More than for any other reason, the moves that have been made toward litigation have been motivated by the government and churches closing off any other ways of seeking redress. From the beginning, all the survivors wanted was a genuine apology, along the criteria we’ve mentioned at the beginning of this commentary.

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Reason 8: For us, Reason 1 and its first cousin, Reason 7 are the overriding motivations behind avoiding the word “genocide.” But it takes not a moments reflection to appreciate that, once “genocide” is on the table, its application across the entire range of policies and programs affecting Native Peoples, historically and contemporaneously, must be considered.

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Let's briefly look at some specific cases in light of Reason 8. So; how well does "genocide" fit the various incentives manufactured over the years for Indians to enfranchise themselves or to be enfranchised? Perfectly, we think. So; how descriptive is "genocide" concerning the 60's and 70's Scoops, where uncounted numbers of indigenous children were adopted out, some overseas, to non-Native foster parents? Flawlessly, in our opinion. (Sterilization? Who said that?) Or, can "genocide" accurately characterize the current status of suicide in aboriginal communities? It can and it does, we would argue.

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And on and on. Maybe some of you would prefer to argue the point, but that's our point: the Indian residential schools were not isolated idiosyncrasies of a few members of a governmental department or two. Genocides involve a host of interrelated and interwoven policies and programs, the understanding of which requires sustained effort and the application of all 5 of the specific headings given under Article II. The Nazis, for goodness' sake, made it illegal for Jews to own parrots!

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Bringing genocide to the table would take the churches, but more centrally the government of Canada, into the exhaustive examination of additional regions of its policies and programs with respect to indigenous peoples, regions that, up until now, it has successfully avoided (or at least, as it is now trying to do with residential school, managed to isolate from other policies). And, what is perhaps even more important, establishing that Canada's policies toward indigenous peoples constitute an historic and ongoing genocide rules out Mr. Harper's statement as an apology, since such would violate the second feature of a genuine apology; someone who is still doing it can't be promising not to do it again.

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If Genocide, Why?

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So far we have only dealt with why what Mr. Harper said on Wednesday was not an apology (to summarize, he meticulously avoided using the proper term "genocide" to characterize Canada's actions, thereby impugning the sincerity with which he had worked so hard to infuse his words). But at the outset we objected to more than the non-apologetic nature of his statement; we took exception with characterizations he made of the actions of the churches and governments.

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We don't dispute his repeated assertions that "it was wrong." For us, this was a no-brainer: genocide is wrong. Mr. Harper's pathetic attempt to insinuate mitigating circumstances ("While some former students have spoken positively about their experiences at residential schools..."), another evasion which disqualifies his statement as an apology (just try to apologize for killing someone while driving under the influence of alcohol by saying "I always do silly things when I'm drunk"), also boomerangs when we consider the irrelevance of the specifics of a genocide to decide upon its "wrongness." After all, some Jews learned a useful trade working as slave labor in concentration camps; some made new friends; many lost weight; and some even had their metabolisms re-set, so that they were able to maintain a healthy weight for the rest of their lives! But when you make the moral decision that genocide is wrong, you don't

have to listen to sophistry that tries to turn the task of making moral judgments into an accounting of the “goods” and “bads” of a particular program.

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There are numerous other places we could be picayune. Calling residential schools “educational institutions” grated on us, for example. But in at least one more point the presentation descended much too far into pure fiction for us to leave it uncommented. With genocide now revealed as the accurate term to characterize the governments’ and the churches’ actions, the question of why arises. Even Mr. Harper, in evading the issue of genocide, still felt compelled to provide his listeners with an historical vignette of the underlying cause of creation and operation of the schools:

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“Two primary objectives of the residential schools system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption that aboriginal cultures and spiritual beliefs were inferior and unequal.”

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There you have it; the objective was to assimilate Indians, because we were believed to have inferior cultures (spiritual beliefs are an expression of culture, and thus redundantly included in Mr. Harper’s statement). This was “wrong,” “caused great harm,” and has “no place in our country.”

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We have no doubt about the “great harm” part of his statement; however, you should notice how it leaves the agents of all this misery unnamed. It was “the residential school system” that had objectives (and not people working for the churches and governments), and the “inferiority assumption” apparently just hung in mid-air during the years of operation of residential schools, unattached to anything identifiable as a human being wearing a frock or business suit.

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Are things any better when we supply warm bodies to this dodge? Well, inserting human beings into all this would at least make explicit that it was people who had the objectives of (1) removing Indian children from their forms of life and (2) insinuating them into mainstream culture, and that people had the (now more obviously racist) assumption that Indians were inferior. So now, our agreeing that this was “wrong” allows us to encapsulate and restate this part of Mr. Harper’s little history lesson into “people did harmful things to Indians because those people were racists.”

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But anyone who thinks we are satisfied with this rendering is much too used to bad movie scripts, where bad people do bad things because they are bad. As if the clergy and governmental officials responsible were all wearing black hats. Life is not so simple.

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First, the image that in Indian residential schools an “inferior” culture was being replaced with a “superior” culture (which thinking, thanks to the P. M., we now know has “no place” in Canada) is simply wrong. Indian children were not being taught to drink tea with their pinkies extended, speak with an affected English accent, or appreciate poetry and opera; they were being taught to perform as menials (domestics, farm hands, cooks,

etc.) for members of the superior culture (and even the not-so-elevated members of that culture).

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If they were expected to learn anything in residential schools, it was to learn their place; to perform, without question and with dispatch, the commands of their betters. If this was assimilation into “dominant culture” it was into its lowest, most wretched, most disposable stratum, where the inhabitants moiled to eke out a marginal existence. It was alright that these serfs would be Indians; after all, our “betters” have never really concerned themselves with the color of their peons.

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Second, attributing this all to “the racists” (who, thank heaven, no longer have a place in Canada) erects a faceless, nameless straw man we’re all supposed to take a turn at pummeling. But this piece of misdirection insinuates that ideology determines actions, rather than actions determining ideology. This is too big a subject to go into here, but ideologies of race, race inferiority, and sub-humanity arise from the material needs to dispossess and expropriate, and not vice versa. Canada’s wealth has arisen from the willingness of the settler society to simply take what they want from indigenous populations (just ask the Lubicon, the Cree of Northern Quebec, and the Labrador Innu, for recent examples). It’s in casting about for some excuse to justify satisfying a material agenda that Canadians have had to create and then invoked the non-humanity of the real owners of Canada.

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Consequently, holding anonymous racists responsible for the woes of Indians and assuring us they no longer abide here is nothing but additional falsification on a heroic level. For banishing faceless and nameless spirits to some vasty deep does no such thing as long as the material need to do away with Indian rights and claims continues to abide here. Thus Mr. Harper’s history lesson is nothing more than another kind of bribe... like the forthcoming Truth and Reconciliation Commission. “Just let us insinuate a comic-book version of Canada,” it says. “We don’t have to name the ghosts in the story; we all know who they were anyway. We’ll just pretend they’re all gone now, so you can sleep better at nights. And we get to pretend there’s a clean and complete split with this admittedly reprehensible past.” But the past is present, and it seems, the future. Resolving Anything Useful?

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For a “clean break” the events of Wednesday leave an enormous number of loose ends (some thicker than the Atlantic Cable) flailing around, at least for us. Even several of the leaders of the other political parties, in their responses to Mr. Harper’s statement, noted on Wednesday that it was short on detail. That may be true; however, directly by Mr. Harper’s words and indirectly by implication the upcoming Truth and Reconciliation Commission has been accorded the task of sorting out the remaining specifics.

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Is it up to the task? Not even in the cartoon world Mr. Harper has created, much less in the real world. As already mentioned the statement not only said things we dispute, it left unmentioned a host of issues we needed to see addressed. Let’s run through a few of the omissions:

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(1) Genocide. Is the commission going to bring this up? And so what if it does? Canada has already demonstrated it will simply ignore the charge if it's made, and has been careful to eliminate any possibility of treating the matter in a serious way. Minister Strahl, for example, stated repeatedly in the run-up to Wednesday that nothing Mr. Harper would say would prohibit an ongoing, aggressive investigation into crimes associated with the residential school. But he knew, as we did, that the central crime had already been removed from consideration. Even if Indian after Indian stands before the commission and charges genocide, nothing will happen about it. Most of all, such repetition will only dispose the "average" Canadian, who is supposed to be getting an education on these things, into the familiar stupor of "there go those damned Indians again, always complaining about something."

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(2) The Cover-Ups. Once "wrongs" are correctly identified as "crimes," can anyone else see that Canada and its churches have been covering up the crimes of the residential schools for quite some time now? The pattern of responding to charges made by former prisoners of Indian residential schools was predictable and familiar: stonewall, then impugn the testimony and motives of the victims ("those troublemakers just like to make noise, or they're looking for another handout"), then admit that maybe, just maybe there was a "bad apple" here and there in a gigantic barrel of nice apples ("some bad things may have happened, but it was all done with the best of intentions"), then throw a sacrifice (preferably one already dead) to a dissatisfied and growing crowd of lawyers, and then go back to stonewalling ("Hey, enough already! The issue has been settled!").

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Canada and the churches have worked long and hard to avoid admitting anything (in 1998 it was estimated that the Anglican Church, for one, had spent the overwhelming bulk of their budget for dealing with residential schooling on advice from publicity agencies), much less general and specific criminal acts. As anyone paying attention could probably guess, here the government has long ago moved to limit its own possible damages from colluding in knowingly hiding crimes and hindering investigations, so that, for example, while it's illegal in Canada to destroy documents needed for criminal investigations the people who do the destroying can't be charged with anything (the "Naughty-Naughty" Principle).

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But the churches have long looked out for their own, with known pedophiles in their ranks given a "time out" and then transferred to a new assignment without the inconvenience of having to face a criminal charge. By the way, isn't this what Becket and King Henry were arguing about back in the 13th century? Eventually, didn't English law come down on Henry's side? We have to agree with Henry on this one.

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The victims of abuse at residential schools have had to endure not only the original abuse, but the vituperation and calumny of criminals and those assisting criminals in evading disclosure and prosecution. And, for parliamentarians and bureaucrats, even if they've removed themselves from the possibility of formal criminal charges under the existing criminal code, justice demands an accounting and acknowledgement of the cover-up as much as it demands them of the original crimes.

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(3) The Secret Histories. Attention has been focused so much on church and governmental abuses that there is a clear and present danger that an additional unknown number of malefactors will slip through the cracks. It has already been acknowledged that, for example, in the 50's the Canadian Medical Association asked for, and received, permission to study the distribution and growth of tuberculosis in "human" populations by giving unpasteurized milk to the children in residential schools. Around the same time, the Canadian Dental Association asked for, and received, permission to study the lifelong development and growth of caries (tooth decay) in "human" populations by giving "sham treatments" to Indian children in residential schools. Here, not only are the people who "authorized" these child abuses culpable, so are the people who ask for them. Both these cases, of course, took place long after the Nuremburg Protocols for ethical research with human beings had been articulated and accepted.

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Nor does it end here. The notorious Dr. Cameron, who, while in the pay of the Central Intelligence Agency, used electroshock and mind-altering drugs to experiment on innocent Canadians (a chapter in Canadian history immortalized, so to speak, in a CBC movie), also had some kind of involvement with Indian residential schools, mainly in the Prairie provinces. Rumors abound (since at least the early 90's), but there has never been enough hard evidence to sustain charges. Doesn't this bear investigation?

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In fact, with a captive population and a supervening authority at best indifferent to their well-being and without any mechanism of complaint or due process available to the victims, what could not have happened? On this subject our imaginations have already been far outstripped by what everyone admits actually did happen; what a broadly-thrown finely-gauged net might dredge up is, in our opinion, anybody's guess. The (now, finally, at last) movement to start digging in church graveyards and remote, unmarked locations is merely the tip of an iceberg, one that could well nail, even for those Canadians at the utmost levels of denial, the concept of genocide to Canada's treatment of indigenous peoples.

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There's more (Sterilization? Who said that?), but this is enough for now. These three loose ends, rather than "details" that can be dealt with summarily, are, we predict, Hydra's Heads that will sprout hundreds or even thousands of additional inquiries if pursued with due diligence. We have a number of problems with the upstart commission, but our question here is: Is the "Truth and Reconciliation Commission" equal to this task?

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This commission can (1) subpoena no witnesses, (2) compel no testimony, (3) requisition no document. It cannot find, charge, fine, or imprison. Thus far, the only ones lining up to testify are members of groups who have already testified (the Royal Commission on Aboriginal Peoples generated thousands of pages of testimony from school survivors, a corpus, we must add, that has not in the slightest way entered into the consciousness of the average Canadian in the 12 years since its publication) and those who still maintain sufficient plausible deniability to publicly defend its inactions (the RCMP, for example). Those most obviously culpable have already stated their intentions not to bother showing up.

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Will, somehow, the victims of residential schooling show up dragging bales of documents proving abusive actions, abusive policies, collusion, cover-ups, etc. on the part of ministers, bureaucrats, clergy, professors, bag-men, pedophiles, and the full host of assorted miscreants? They'd better, for the "Truth and Reconciliation Commission" won't have them.

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Or maybe we just need to pray for our own version of a governmental or ecclesiastical "Valachi," who will show up and rat out the Dons, all the way up to and including the Capo de Tutti Capi. However, not only is this an extremely thin thread upon which to hang our hopes for truth (and more importantly, JUSTICE); what "witness protection program" is going to protect him or her? -

"Truth" is an odd name for a body that can trade not at all in that particular commodity. "Reconciliation," too, is an odd word for five years of allegations that can be either scorned or ignored, according to the tastes of those who are its subject. It invokes the same fantasy world Mr. Harper constructed, where Canadian and indigenous peoples are returned to that happy state of mutual respect and cooperation that existed before the bad old residential schools came along and ruined everything. In "truth," however, there never has been any "conciliation" to "re."

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Conclusions

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We don't know about you, but we've been unable to swing a dead cat since Wednesday without whacking someone telling us about how the "apology" has "closed a painful chapter" and signals "a new beginning in relations" between "Canadians and Indian-Canadians" (sic). Like someone tearing apart a picture of a former boyfriend or girlfriend, spitting on it, and walking away from the pieces tossed over the shoulder, however, we've been witnessing a made-up ceremony, one where the participants, for various reasons, are trying more to convince themselves they've dealt with all the serious issues rather than actually putting an end to them.

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Canada has, once again, missed a truly historic opportunity, putting paste on display rather than an authentic diamond, because the diamond, in someone's estimation, would have been far too expensive. Already, after the patina of ceremony has worn off, there have been some rumblings, primarily around the fact the Mr. Harper's statement was long on being sorry and short on being active. And as we pointed out at the start, a real apology promises to undo, as far as possible, the damage done. But now that the statement is revealed as just another evasion, we must caution against whatever action the governments of Canada would propose; as we've tried to make clear, the "action" Mr. Harper's statement endorses, the "Truth" and "Reconciliation" Commission, is no action at all. And someone who steals your car, wrecks it, and is unrepentant about his/her actions is most definitely not the person you'd choose to repair it or replace it.

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But that person most certainly at the very least would be responsible to pay the costs of repair or replacement. If this be genocide, the role of Canada's government (and churches) is to make it possible for us to once again make ourselves whole, nothing more and nothing less. How should we do this, how long it will take us, where do we

start... these questions and more crowd in on us all. But they are questions we must identify, discuss, and answer ourselves.

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Those of you who saw clearly and immediately the farce that was being played out; those of you who felt in your heart of hearts that the whole orchestration was out of tune but couldn't identify the offending instruments until now; and those of you who were misled until you brought the powers of your own intellect to the examination of this exercise in rhetorical excess; whatever your history is that led you to complete this overlong commentary; we invite you to join in the task of building what ultimately must replace this charade, some kind of response authentically committed to truth in this history and justice in its resolution.

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Roland Chrisjohn

Andrea Bear Nicholas

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Tanya Wasacase

Pierre Loiselle

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