

## **TAPE 1**

### **Residential Schools—The Past is Present**

Radio program w/James Craven on The United Church

May 2000

*transcription*

*introduction...*

Most genocides in this century have been perpetuated by nation states upon ethnic minorities living within the state's own borders. Most of the victims have been children. The people responsible for mass murder have by and large gotten away with what they have done. Most have succeeded in keeping the wealth that they've looted from their victims. Most have never faced trial. Genocide is still difficult to eradicate because it is usually tolerated, at least by those who benefit from it.

*Pierre Laboisser intro...*

Residential schools operated in Canada from around 1870 to the early 1980s. The children of First Nations groups were removed by law from their homes and families and forced to attend schools operated by non-Indians. The government contracted out the running of the schools to the churches. Although not all Indian children went to these schools, or went for the full 12 years, residential schooling was a part of the Indian experience affecting everyone in the communities. Residential schools were part and parcel of the federal government's policy towards native people. The eradication of a people facilitates the theft of occupied land. This can be done using various methods, and the residential school is one of them. And this has clearly been the agenda of the Canadian government. These methods have been understood by many countries who have bloodied their hands in colonialism, using residential schools to destroy a people, such as their implementation in the Soviet Union, the USA, Australia, Japan and India. It is also defined, within the UN Convention on Genocide, as being a violation against humanity. Residential schools do not stand alone as an aberration out of context with the development of Canada. They are but one tactic in the process of the colonization of the Americas which has been and still is, genocidal.

Jim Craven and I went up to the United Church conference today. We went up there to hand out some pamphlets on residential schools and to talk with people, individual members of the congregation. We wanted to address what the United Church was involved with in implementing the residential schools, which is nothing short of genocide. We wanted to talk with people and point out certain things that the United Church has not been addressing. In 1986 they issued an apology to native people regarding the operation of residential schools and that was contained within our pamphlet that we handed out. One of the things they said was that they have since issued another apology, a revised apology, so to speak, in 1998, and they were suggesting that we shouldn't be handing out a pamphlet that was just talking about something in the past that they've changed.

Well, we got hold of the 1998 apology, the revised apology so to speak. I think we'll start off by looking at these apologies and what they really mean. How much of an apology they really are.

JC: We went up there, the United Church, and we had the understanding that we were invited as observers. We checked in, so it was all up front, we weren't sneaking in on anybody, we announced who we were. We had some literature with us, and initially no one told us we couldn't pass out literature. We went in, looking to set up a booth, because we didn't want to invade people's privacy, force literature on people. What we wanted was a table so people could come up on their own and pick up the literature, or not, rather than our approaching people. We tried to be respectful in every way, and what happened was some of the clergy and other volunteers approached us and said that we could stay there as observers but not pass anything out. We asked why, because those same clergy had been at our conference in St. Thomas and were welcomed, and they were perfectly free to pass out whatever they wanted to pass out and say what they wanted to say. We thought we would have the same arrangement, and if people don't like what you're saying they will rebut it. We were told, no, because some of the parishioners who were there were just starting to understand about the residential schools and they really weren't prepared for a lot of detail on it. Our pamphlet, by the way, includes a copy of the full text of the UN Convention on Genocide, so that when we use the word "genocide" people can see exactly what it means. What they said was that our pamphlet was in error because it includes the 1986 apology and a critique of it, but, there has subsequently been a 1998 apology.

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We both asked for a copy of the 1998 apology and said we'll include it in the pamphlet. We asked repeatedly for a copy of the 1998 apology. Finally, they said no. So we said, ok, this is your space, your right, so we'll just go outside and pass out our pamphlets outside so we're not on your property. We proceeded to do that. We were then approached and asked by one United Church minister who asked if we would want to meet with the moderator of the UC, The Right Rev Bill Phipps. We said, yes, absolutely, we'd like to have a talk with him; especially since during the Tribunal I participated in in Vancouver he had been invited and didn't even give a response that he wouldn't be attending. So we had about a 1-1/2 hour conversation with the moderator. Present was the General Counsel of the UC, some clergy, and some other people. We wanted to have a dialogue and tell them exactly where we were coming from. We asked repeatedly in that meeting to give us a copy of the 1998 apology so we could include it as the latest one. We said "whatever you have to offer we will circulate it ourselves because we don't hide things, play tricks with evidence." But they continually said they didn't have it while getting on our case for not having included it in our pamphlet. When we returned, we got on the internet and got a copy of the 1998 apology. Obviously it's important, if we're going to talk about the issue, to talk

about the most recent apology. They said this was a “better” apology than the one in 1986. So perhaps we could start with the 1986 apology, then talk about the discussion we had with the Moderator of the UC, and then take it from there.

We’ll start by reading out the 1986 apology, and I’ll make brief commentaries in specific aspects of it as we proceed.

**Apology given by the UC of Canada (1986)**

*Long before my people journeyed to this land, your people were here and you received from your elders an understanding of creation and of the mystery that surrounds us all that was deep and rich and to be treasured. We did not hear you when you shared your vision...*

**JC:** First of all, they didn’t allow native children to even speak. It wasn’t a question of merely not hearing. Native children were never allowed to give their vision. They were disabused of it from the get-go.

*...in our zeal to tell you the good news of Jesus Christ, we were blind to the value of your spirituality...*

**JC:** This implies that the only motive in the residential schools was missionary zeal. In fact, the missionary schools were about grabbing land, about creating a pool of semi-skilled and unskilled cheap labor; they were about de-Indianization, about breaking connections with tribes and with inheritance of allotments that went with the tribal connection.

**PL:** Can you comment a bit more in terms of theft of land...

**JC:** A famous case is called Lot 363. That was a case in British Columbia, which is traditional ancestral lands of the Ahousaht and large lands were appropriated from these people. They were sold to the grandson of a UC missionary for \$2500. Later on that same plot of land, after repeated protests by the elders, was sold to McMillan-Blodell for over \$1 million, a considerable profit. And there were numerous other cases where lands were “gifted” to the Church and then later sold for profit. But part of de-Indianizing involves not only assimilating Indians into the dominant culture, but breaking Indians away from the traditional community which includes the lands of your traditional community; and those lands of course are very rich and very precious. So the implication here is that all the schools were about was telling Indians about the good news of Jesus Christ. By the way, as far as I know Jesus Christ never sanctioned murder, torture, rape, sexual molestation, or sterilizing children and using them for medical experiments.

*...we imposed our civilization as a condition for accepting the gospel. We tried to make you like us, and in doing so we helped destroy the vision that made you what you were. As a result you and we are poorer, and the image of the creator in us is twisted and blurred, and we are not what we are meant by the great spirit to be.*

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That part is at least admitting that the residential schools were about more than spreading the gospel. It's about forced assimilation. And that part does suggest that there were motives other than just spreading the gospel. "We tried to make you like us"? No. They have never accepted Indian people, even assimilated ones, as like them. What they wanted to make them was non-Indians, but never whites. Assimilated Indians will always be Indians first, but they will never have the status of the whites.

*We who represent the UC of Canada ask you to forgive us and to walk together in the spirit of Christ so that our people may be blessed and God's creation healed. In 1986 The UC of Canada issued an apology the native congregations in respect to the operation of residential schools. The US of Canada recognizes that Church-run residential schools was one of the primary contributors to the destruction of Indian culture, spirituality and language.*

Here they don't mention that that [ the destruction of Indian culture, spirituality and language] was the intention. The implication is that was an effect. But it was the intention, the clear-stated intention in their own documents.

*In the 1990s, the UC of Canada has undertaken a number of initiatives to build a new relationship between native and nonnative members and between the Church and other aboriginal people. The UC of Canada states we are committing ourselves anew to finding a good way*

Again, as we discussed with the Moderator today, you remember that the Moderator said they have a problem using the word genocide because some people are just leery of that word, they're uncomfortable, it freaks them out, and we included in this pamphlet the actual UN Convention on the Prevention and Punishment of Genocide so that rather than being accused of talking rhetoric people could read the actual law itself, and what exactly constitutes genocide, and it's in Article 2:

"A. Killing members of the group." Has that been done to Indians in North America? Absolutely.

"B. Causing serious bodily or mental harm to members of the group." Was that done at the residential schools? Yes, gang rapes, feeding people maggot-infested food, sterilizing children, murdering children, secret graveyards, using

them for medical experimentation, putting needles through various parts of their bodies, forcing them to perform public sex acts for voyeuristic Church officials...and it goes on and on and on. I think all those would qualify as serious bodily or mental harm to members of the group.

“C. Deliberately inflicting upon the group conditions of life calculated to bring about its physical destruction in whole or in part.” Was that done? Yes, the evidence is unequivocal.

“D. Imposing measure intended to prevent births within the group.” Yes, native children, both male and female, routinely have been sterilized in both Canada and the United States. Many times it was done without their knowledge, like saying you got a gynecological problem, or in some cases it was coerced, actually forced.

“E. Forcibly transferring children of one group to another group.” Was that done? You bet. That’s what the residential schools were all about.

In law, **any** of those five, any of them, not all, constitutes genocide under the law. And we pointed that out. I also asked the Moderator if he had read the 1948 UN Convention on Genocide, and he said it has been some time ago. So this is the apology given in 1986. It says nothing about the residential schools being subcontractors in genocide. It says nothing about the various intentions, and these are revealed in their own documents, of not just to spread the gospel of Jesus, but intentions in terms of grabbing land, creating cheap labor pools, forcible assimilation, breaking treaties, destroying whole tribes and whole cultures by destroying their Indianness; and even destroying them physically.

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We pointed that out to the Moderator. When he asked the question how do we move forward, we discussed the mandates of aboriginal law, which are: truth first; then justice; then healing; then reconciliation; then prevention of future abuse. I said we can’t move forward without the truth. We can’t move forward with half-truths, pseudo-truths. There’s no reason to proceed if we continue those lies. And one of those lies is not to use the word genocide. I asked him if anyone would have a problem if I used the word genocide in connection with what the Nazis did to Jews, Gypsies, and so on. Would anyone consider it rhetoric?; would it make them queasy or nervous? He said no.

But before we proceed on, I’d like to read from James Poole’s *Hitler and his Secret Partners*:

“Hitler did not approach the problem of extermination of the Jews haphazardly. He had carefully studied some of the most prominent examples of mass murder

in history. His four principal inspirations were the slaughter of the American Indians, killing of Armenians by the Turks, the Red Terror during the Communist Revolution in Russia, and Japanese butchery in Nanking in 1937.... Always contemptuous of the Russians, Hitler said 'for them the word liberty means the right to wash only on feast days. If we arrive bringing soft soap we'll attain no sympathy. There's only one duty: to Germanize this country by the immigration of Germans and to look upon the natives as Redskins.' Having been a devoted reader of Karl May's (sp?) books on the American West as a youth, Hitler frequently referred to the Russians as 'Redskins.' He saw a parallel between his effort to conquer and colonize land in Russia with the conquest of the American West by the white man and the subjugation of Indians or Redskins. 'I don't see why,' he said, 'a German who eats a piece of bread should torment himself with the idea that the soil that produces this bread has been won by the sword. When we eat wheat from Canada, we don't think about the despoiled Indians.'

I read this passage to the Moderator. So here we have evidence. Nobody would have any problem in using the word genocide when talking about the Nazis and what they did. And furthermore, clear evidence that Hitler's inspiration was the Canadian/American experience with respect to First Nations peoples. So what are we to make, then, of the continual refusal to use that word, genocide? And the explanation? "Our parishioners aren't ready for that yet." As we pointed out to the Moderator today, we have no time left. Our elders are dying, our children are dying, we don't have time for people to get "ready" for it. As long as these cover-ups continue, as long as they refuse to call it what it is, the genocide and legacies of genocide continue. I'm sure that somebody who commits murder doesn't want to call it murder; one more example: remember the case of Bishop O'Connor, who committed violent rape, convicted three times and got off three times, and finally he has a "healing session circle" in lieu of being tried for the fourth time? What does he do? He said, "I apologize for violating my responsibilities as a priest for having had sexual relations with my parishioners." No rape – it's hard for him to use that word rape. He didn't have "sexual relations." He beat and mauled and raped women and he was convicted three times for doing it. So with all due respect to the Moderator, and we're grateful he gave us time and listened to us, this is a phony apology.

What's interesting is that when we read the 1998 one tonight, it's even worse than the 1986 one. Why they would tout that to us is inexplicable. In law, if I see that a crime has been committed, and I cover it up, and covering it up includes not calling it what it is, that's a coverup. Two crimes have been committed: (1) I'm a party morally to the perpetration of the original crime I'm helping to cover up by not calling it what it is and discussing its true magnitude, and (2) I've created a new crime, the crime of coverup, which is a second crime. And that's what we're talking about here. You've got evidence that the major inspiration for Hitler was exactly the system, the system of residential schools and everything that went with it.

**PL:** Just a comment: not calling genocide “genocide” is covering up the reality and changes the implications of what happened.

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**JC:** Here they say in their apology “we did not hear you.” No, true, because children were not allowed to speak. They were beaten whenever they did anything “Indian.” When children said their prayers in their native language they were beaten and tortured. When a child wore her hair long, the hair was cut. When a child wore traditional ornaments and regalia, he or she was beaten and then mocked and tormented. Saying “you said it to us but we didn’t hear you...” No. They were never allowed to be Indian from the first day of residential school. Just like boot camp in the military. >From the first day you’re told you’re not an Indian here. Get ready for it. Don’t speak your language. So here they’re saying “we have so much respect for you native people, we’re sorry we didn’t listen to you.” Well, when you don’t call genocide “genocide,” you desecrate the memory, desecrate the pain and desecrate the suffering of all of those who suffered in that system.

Better you don’t apologize--just say go to hell--than a phony apology that is designed to mitigate your damages in any litigation and mitigate your cognitive dissonance problems, and cover up what that system was about. That system wasn’t about Jesus Christ. There’s nowhere in the bible that sanctions what went on in that residential school. Nothing that sanctions gang rape and torture, sterilization, using children for medical experiments, secret graveyards, forcing children to eat their own vomit, putting glue in their nose, cutting their hair. I’ve read the gospel a fair amount and I find nothing that went on the Residential Schools that is remotely connected to Jesus Christ. To suggest that their motives were missionary zeal is a cover-up; their motives were economic, political, cultural. Their motives were genocide. They were subcontractors in genocide.

The Canadian government shares responsibility and it’s not enough to say, well, the Catholics did it too, Mormans did it to, Lutherans, Presbyterians. That’s not going to wash for whoever did it. It’s not up to the United Church to point to the other Churches. It’s up to the UC to point to themselves and do what they ask every one of their parisioners to do: properly atone, make it right, and stop it and make the damages right. Because people who suffered, they’re paying their medical bills, for their drugs, they’re paying in many ways, some of which are financial. Meanwhile these people are flying all over the place, have big salaries, have big homes and so on. This isn’t going to go away.

They want to jump right to reconciliation without healing; they want to jump to healing without justice and truth. In an aboriginal court, the mandates form a sacred hoop; without truth, nothing else follows. Without truth there can be no justice; without truth and justice there can be no healing; without truth, justice and healing, there can be no reconciliation; and without truth, justice, healing and reconciliation, there can be no prevention of future abuses. And without all of that, there can be no climate to further the search of truth; and so it forms from truth to truth, the sacred hoop. Trust is the center, the core, the foundation.

This “apology” has nothing to do with the truth. This is an evasion, dissembling, obfuscation. But worse: by putting some flowery language in here, some ersatz Indian language... “long before my people journeyed to this land, your people were here, you received from your elders...” It’s ersatz Indian talk. “How. Me Tonto.” It’s “Great Spirit” talk. It’s a caricature and its insulting, demeaning, patronizing, and it won’t wash.

**PL:** Here’s the “new” apology:

*To former students of the UC Indian Residential Schools and to their families and communities: From the deepest reaches of your memories, you have shared with us your stories of suffering from our Church’s involvement in the operation on Indian residential schools. You have shared the personal and historic pain that you still bear and you have been vulnerable yet again. You have also shared with us your strength and wisdom born of the life-giving dignity of your communities and traditions and your stories of survival. In response to our Church’s commitment to repentance, I spoke these words of apology on behalf of the General Counsel and Executive on Tuesday, October 27, 1998: ‘As Moderator of the UC of Canada, I wish to speak the words that many people have wanted to hear for a very long time. On behalf of the UC of Canada, I apologize for the pain and suffering that our Church’s involvement in the Indian residential school system has caused.*

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*We are aware of some of the damage that this cruel and ill-conceived system of assimilation has perpetuated on Canada’s First Nations people. For this we are truly and most humbly sorry. To those individuals who were physically, sexually and mentally abused as students of the Indian residential schools in which the UC of Canada was involved, I offer you our most sincere apology. You did nothing wrong. You were and are the victims of evil acts that cannot under any circumstances be justified or excused. We know that many within our Church will still not understand why each of us must bear the scar, the blame for this horrendous period in Canadian history, but the truth is we are the bearers of many blessings from our ancestors and therefore we must also bear their burdens. Our burdens include dishonoring the depths of the struggles of the First Nations peoples and the richness of your gifts. We seek God’s forgiveness and healing grace as we take steps towards building respectful compassion and loving relationships with First Nations peoples. We are in the midst of a long and*

*painful journey as we reflect on the cries that we did not and would not hear, and how we have behaved as a Church. As we travel this difficult road of repentance, reconciliation and healing, we commit ourselves to work towards incurring that we will never again use our power as a Church to hurt others with attitudes of racial and spiritual superiority. We pray that you will hear the sincerity of our words today and that you will witness the living out of our apology and our actions in the future. Sighed: The Right Rev. Bill Phipps (sp?) of the UC of Canada*

Lets start with the first paragraph:

*From the deepest reaches of your memories, you have shared with us your stories of suffering from our Church's involvement in the operation on Indian residential schools. You have shared the personal and historic pain that you still bear and you have been vulnerable yet again. You have also shared with us your strength and wisdom born of the life-giving dignity of your communities and traditions and your stories of survival.*

**JC:** When exactly have residential school victims, other than in court, been allowed to “share” their stories? Every time the residential school victims tried to share their stories, they were called crazy, they marginalized, demonized and slandered. The churches used various obstructionist and legal tactics designed to bankrupt the victims so they could never get to court. In some cases people who protested or tried to tell the story were murdered; in some cases they lost their tribal connections. For instance, even when we had the Tribunal in Vancouver, we had witnesses intimidated there, one of whom who was doing it was indeed on the UC payroll and I personally witnessed that individual intimidating witnesses at the Tribunal. So every time the victims have tried to tell the story with specifics, they have been obstructed. We need specifics, not for salacious detail, but we need to know because these are crimes, crimes that people need to be brought to the bar of justice. We can't bring them to the bar of justice when the Church continues to seal its archives, when they continue to refuse to get into the specifics, and when they try to get sealed settlements, for example, so the specifics won't come out in court, when they fight it in court, rather than simply stipulating known and proved truths. So when they said “you shared it”, it's not because of what the Church has done. It's actually tried to obstruct residential school victims being able to give specifics and names. In fact, the perpetrators of these crimes, when they were brought to the bar of justice in the few cases, many times got off on technicalities, because the victims weren't assisted in discovery. So that part there may sound nice but the reality is that only very recently and only with considerable effort have the victims been able to give some of the specifics of what happened to them, and certainly without any help from the Church.

You remember, I gave the document to Rev. Phipps which had his name on it where he had been asked to come to an inter-Tribal Tribunal, and he didn't attend? That could mean that he was busy, but he didn't even bother to respond.

I gave him a list of all those people from the UC who were asked to be at that tribunal to assist in the discovery process so that people who wouldn't have to testify and drag out these demons and suffer more trauma and damage. It has been through no help of the Catholic Church, or the UC or any other churches. We asked them to help uncover the story so that the true story could be told and we could help find out who did what and in some cases bring people to the bar of justice, but without having to make some of the victims bring out the demons and the trauma and having to relive what they had gone through. It would be much easier if they would use their offices to help because they have the archives, the documents, that would help us find out who did what and when. We never got assistance.

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**PL:** *'As Moderator of the UC of Canada, I wish to speak the words that many people have wanted to hear for a very long time. On behalf of the UC of Canada, I apologize for the pain and suffering that our Church's involvement in the Indian residential school system has caused. We are aware of some of the damage that this cruel and ill-conceived system of assimilation has perpetuated on Canada's First Nations people. For this we are truly and most humbly sorry.*

**JC:** Well, in one way that's a step forward, and it's a step forward in the sense that it's not suggesting that what went wrong was how the schools were run, but the problem is in the schools themselves. It's suggesting that the whole system itself, from its foundations upward, was corrupt and rotten. But again, where did that system come from? Why did that system come about? What was behind it? Was it just psychological aberrations? People just had it in for Indians, is that it? Or thought that Indians would just be better off looking white or acting white? There are concrete material, political, economic, social, cultural, systemic interests behind genocide anywhere it occurs. Genocide doesn't happen just because one group has a thing for another group. That's the rationale sometimes. But always behind genocide you find land, resources, markets, interests, profit, power, power projection, imperial conquest, moving somebody out in order to move somebody else in. And so when he said "ill-conceived system," OK, but why? Where did that system come from and why was it ill-conceived? Ill-conceived by whom and for what purpose. Did they just have a bad day? Just got it wrong? So in one sense it goes a little bit further because some people suggest that it wasn't the schools themselves that were wrong, but how they were run. But the reality is that any time you try to force your religion on other people it's wrong. You got no right to take children and beat Jesus into them; or rather your sick, twisted notion of Jesus into them You have no right to declare their culture and spirituality inferior and backward and pagan, and declare your own religion and gospel to be THE TRUTH, THE LIGHT, and anyone who doesn't accept it does so at the pain or going to hell but more...the pain of being beaten or murdered, raped. So the whole notion of missionary zeal itself assumes this. What right to you have to take your private business and push it on other people, in their faces? Who gave you that right? What's behind

that ill-conceived evil system? There's no discussion of that, and there again avoidance of the word genocide; and it was a genocidal system. Its intent...all five specifics of Article 2 of the UN Convention on Genocide, were the intent of that system; it happened to too many people. What few of their documents that survive, that they haven't destroyed, say that clearly; it's not just about spreading the good word.

**TAPE 2:  
RESIDENTIAL SCHOOLS: The Past is Present  
W/Roland Chrisjohn & Jim Craven**

**Moderator:** Why this conference here in Fredericton, now?

**RC:** Basically, it's a response to a continuing trend that's been happening right across Canada. Earlier this year both the Catholic and Anglican Churches met, and met in more populated centers than Fredericton...Toronto was their meeting place where they decided to reconstitute themselves, restructure themselves organizationally in such a way as to limit their liability over the residential school litigation. All the churches are beginning to be very public in their concerns about the very real possibility that this litigation with respect to their involvement in residential schools could lead to their bankruptcy. So the Catholics and the Anglicans have already taken steps to avoid that by contending that they're just a bunch of people who read the same books and sing the same hymns and bow to the same people, but if you want to argue what happened at this particular residential school, argue with that Anglican Church because that's not the same as the other Anglican Church right across the road. Well, one of the things is that the UC is meeting, and we don't really know what their agenda is, they haven't approached us, but we've been concerned that the supposed First Nations advocacy organizations, like the Assembly of First Nations, have done absolutely nothing to interject these kinds of concerns at these previous meetings that were held elsewhere. When the UC decided that they were going to hold a meeting in Fredericton we thought that this was our opportunity at least to get one of the churches to set a slightly different agenda other than, "how are we going to cover our ass" in the way that for instance Dow Corning did over the breast implant problem, or Ford Motor Co. did over the Pinto.

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We said, we want you to consider another set of issues that you haven't been considering. We invited the UC to come to our conference and it was open to the public, well advertised as best we could, with the idea that as long as issues of the immorality of what a moral institution did, what the Churches did, as long as that's not on the table, then none of these considerations that the gov or any of the churches are undergoing about what to do about the residential schools is actually addressing the real issue and we want them to get on board with that.

**JC:** Here's a parallel: suppose I recklessly go out and get drunk and stoned, run a bunch of red lights, and I cause you serious damage. You're in the hospital with long term medical bills bankrupting you. I turn around and while I'm driving my Mazarrati, I declare bankruptcy to avoid liability. So your medical bills go on, I tell you I'm sorry but I'm broke, meanwhile I continue to drive my car and live in my big home, telling you all the time, gee, I'm really sorry about that, I hope you really believe that I'm genuinely sorry about that. Well, that's precisely what they did. You were at the conference today, you saw some people spontaneously tell about the pain they're suffering, and they're suffering real damages, real costs, from real pain and hardship that they endured in those churches. One of them we heard today was a victim of Port Alberni of the United Church. Her medical bills are ongoing and directly trace back to trauma she suffered in Port Alberni. She wound up in an emergency ward because of a mess-up.

And yet they propose to say they're sorry and restructure so they don't have to pay victims like her for the ongoing medical liabilities and pain they're suffering that cost money. Shrinks and lawyers don't work for free. Drugs are not free, even in Canada. So knowing the shameless hypocrisy of these people in not making a genuine atonement as they tell their parishoners they should do, the shameless hypocrisy of restructuring in order to avoid liability and payments and financial obligations that will then be borne by those victims one more time, the victims not only bear the pain and suffering, they bear the financial responsibilities, as the churches continue to build big churches, continue to pay huge salaries to some of the parasites that run these organizations, and meanwhile their victims are left, often poor and indigent, with mounting bills while the church escapes any liability for them.

**RC:** I would like to interject that we should say, their potential attempt to do that because again, we really don't know what the UC really wants to do and I'm stupid enough to believe that the tactics that any of the churches have adopted haven't been as a result of the church membership as a whole deciding that, hey, we better cover our ass on this, I think it's been an institutional decision to subtract morality out of the decision making process. And my real hope is that an institution that poses as a moral institution will actually begin to use moral bases in order to come to grips with the past and the present.

**JC:** That's right. Either that or just give up the act altogether. Give up your act and stop preaching to people. Either walk your talk or get out of the business and stop your shameless hypocrisy. I agree with Roland, it's not the average parishoners who are doing this, but the people with the big salaries and cars who take the big trips to exotic places who are doing this stuff. It's clear in their restructuring that there's an intent to limit liability or exposure. If nobody wants to see them bankrupt, the first concern should be responsibility for these actions. Maybe they have to sell their Mazarratis, sell their big houses and move into an apartment ; better that than the persons damaged should have to suffer from damage caused from negligence, foreseeable consequences of actions and

something people protested against at the time. It's not that we've suddenly come to a new realization that what was done was wrong. We knew it then that it was wrong, and the evidence for that is that all of the residential schools of Canada were in out-of-the-way places. If you look at a map, they're all on islands and tucked away in these out-of-the-way places, partly to remove them from people and brainwash them better, partly to prevent them from escaping, but partly to prevent those schools from being exposed. If you look at Part Alberni, and Alert Bay, the rest of them, they're all in out-of-the-way places. They knew what they were doing was wrong; no need to hide what's clean, only what's dirty, and they were hiding what was dirty, and they new it was dirty at the time, because they never allowed their precious white children to be put in those schools. Those schools were for Indian children, not white children.

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**Narrator:** Unfortunately we're running out of time. It feels like we just started to get into some of this. Any closing comments?

**RC:** Just that again there's still an opportunity for Canadians in general, the government and churches, to do the right thing. If I didn't think there was that possibility, I would have shut up about it a long time ago. What I've tried to say to the churches overall is that if you think your getting away with genocide you might be getting away with it on this level, but if you really believe what it is that you've been shoving down everybody's throats all these years, there's still somebody else that you're going to have to account to for this, and you're not going to get away with that.

**JC:** Get right, walk your talk, get right with the creator, do the right thing, or else come out with what you are and stop lecturing other people about human rights. If you don't get it together, you have no right to lecture anybody about anything.

**TAPE 3A:  
INTERVIEW WBAI 2/15/98  
Economics and Politics (Doug Henwood and Jim Craven)**

**DH:** There was a court decision in Canada last December in British Columbia where the Canadian court decided that Indian claims to property in BC were actually well grounded and that this may have a substantial effect in Canada about who owns what. A lot of these disputed lands are rich in resources, so this is not mere matter of landscape, it's also a matter of big money.

Jim, before we get going, just a word on nomenclature. I've been saying "American Indians" all along, and I know a lot of folks prefer Native Americans, or the Canadians use First Nations, what's the word on language here?

**JC:** There's a mixed bag on that. Most of the people that I know use the term American Indian. What they mean by that is an Indian of the Americas. The reason why many will use that is first of all, Indians weren't even American citizens until 1924. Many Indians also feel that they're not real Americans, there's no real place for them in America, and they are sovereign nations within a nation. They prefer the term Indian rather than the term Native American. Also many Indians I know don't like the nativism that's associated with that term Native American, and there may be some implication that the further back here your ancestors go, the more "real" American you are; and most Indians that I know don't share that kind of sentiment. They don't differentiate people by how far back your ancestors go. The actual word Indian didn't come from Columbus looking for India and missing the boat. Rather, when he came here there was no India. The Indian comes from the term "la gente en dio" – the people in god. They're also referred to as "Los Indios." Columbus called them gentle and loving people and thought they would be easy to turn into slaves, which is what he actually wrote in his diary. Most of the people I know prefer to use the term American Indian, but they don't mean an equivalent to "Irish-American" or Jewish American", they mean an Indian of the Americas, which includes Central, South American and Canada.

**DH:** Now let's talk about this decision from the Canadian Supreme Court. What's involved with this decision that's relevant to the US?

**JC:** First of all, the decision didn't go as far as some people might think in terms of really laying out full use, full custody, for indigenous lands. But it was an extremely important decision in the sense that it was a recognition that some of the very same rights and privileges and laws that protect property today in white society, call into question the very property they protect. For instance, suppose you find all around you your relatives and neighbors being slaughtered and the people who are doing the killing send a message that you're next. You flee for your life, leave your home. Somebody moves into your home and destroys all records, histories, whatever that show you occupied that home. Then they proceed to go ahead and sell your home to someone else who had no idea how it was acquired. The new owner holds that

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property only as long as the true story isn't told. As soon as the true story is told about how that property was originally acquired, even under mainstream or capitalist law, that property becomes tainted. The new owner doesn't get to keep it, even though he innocently bought stolen property. The same thing holds here. More and more the courts are realizing that when the true story is told and it becomes evident that so much Indian land was stolen, and by stolen I don't mean according to Indian law, I mean according to white law, capitalist law. What happened with the Canadian decision was that for the first time or almost the first time they are starting to admit oral histories and historical place names as a

basis for establishing original occupancy. What happened historically was that American society was confronted more and more with this contradiction, and this contradiction was by virtue of your own laws, not Indian laws, this is stolen land; ill-gotten land.

So the answer to that was, first of all, you know Indians never really had a concept of private property or territory; therefore, in Indian terms, nothing was really stolen from them. That was the first myth. The second myth was, well, Indians never continuously occupied territorial lands, or Indians never made "improvements" on the land; therefore, they don't hold ownership in the way that we establish legitimate ownership. So there were attempts to rewrite history to get around that contradiction, that being by virtue of capitalist law, that property is stolen property. Now what's happening is that the courts, right now there's a case going on whereby thousands of non-Indians are being sued by the federal government on behalf of the Cherokee, Choctaw and Chickesaw nations having to do with the Arkansas River because it turns out that as a result of a 1970 Supreme Court decision, that land was treaty land and it was illegally sold to non-Indians. So now these mineral and land owners are all being served notices that they don't hold title they once thought they held. So what we're seeing now is a recognition that either you're going to have to come out in an open, naked say and say, yes, we have sacred laws but they're only situationally applied; they're not really that sacred. If you're non-white they don't apply. If you're not "American" they don't apply. Or they're going to have to make some kind of attempt to apply consistency.

**DH:** This speaks to what Marx calls primitive accumulation, which is the origin of private property through act of theft or in claiming private land that was previously held in common. So whether we're looking at the enclosures in England or the theft of native lands here in North America or in what's going on in a good bit of the Third World today, the capitalists have not really lost much sleep over the contradictions of their own tradition. Do you think this is actually going to give them pause? Force them to come to terms with their own hypocrisy?

**JC:** I think that the extent to which this happens is as much as necessary. Their primary goal is to maintain the system as it is and the basic power structures as they are. But they do make concessions when contradictions require it. Their policies represent very few of ultra rich, but they need a mass social base, especially when you have the illusion of a democracy, participatory democracy, they need a mass social base to ratify policies which are actually in the interests of a very few ultra rich people. How do you do that? One way is to push hot button issues, like abortion and whatever. They try to get people to vote one way or another on single issues for a party that can never represent the interests of those who are actually voting for that party. That's one way. The second way is of course through mystification and rewriting history: American the most moral, decent, productive, efficient, richest, beacon of democracy, and so on. Of course then they don't discuss all the ugly dictators we've supported and

are supporting cause there's a contradiction there. The other way they deal with it is to make concessions on an ad hoc situational basis. So when those contradictions surface, become really glaring, naked, they will make such concessions as are necessary to keep the façade going. So they say, yeah, you got me, you got me there. According to my own laws, this is stolen property, you're right. So they'll return bits of land, piece by piece. Of course usually what happens is that land returned bit by bit, they just find another way to get it. What you'll see is big developers who come in and front certain interests in the tribal councils, and they wind up getting the land back through "normal commerce," or they'll find ways to counter-litigate and tie people up in court for extensive periods of time through expensive, costly litigation. But still they're caught in that contradiction between the façade of the system and the façade they need to maintain that system vs. how the system really works and for whom it really works.

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It's quite clear: out of 22 industrialized countries, the US is No. 1 in wealth and income inequality. We're number one in infants born at low birth weight; homicides; substance abuse; executions; imprisonment. We're number one in a whole bunch of indicators that don't speak very well for us. Those indicators are an indictment of that very system itself. The average life expectancy for most Indian males is between 49 and 52 years old. For Indian females, 47 and 51 years old. That's as opposed to a white male around 71 and white female around 73.

**DH:** Those life expectancies are really about the bottom of the poorest portion of the Third World. We're talking about some pretty bad social rankings here.

**JC:** That's correct. The infant mortality rate is much lower in Cuba than it is among Indians in North America. In fact, it's lower than all of America combined.

**DH:** Let's talk about the social-economic conditions that Indians in America live in. I think people who live in urban areas might not think about it very often. Where do folks live, just how bad off are they?

**JC:** It will vary, of course. But for the vast majority of reservations in this country, and I've been on many, people are isolated, it's very stark, almost all the businesses are owned by non-Indians. Typically you get about 12 or 15 cents on the Indian dollar that stays on the reservation, the rest is shipped out in banking and other services. Savings are little, and what little savings that occur don't stay on the reservation, taken to big banks in the big cities, it's never reinvested on the reservation. You have tribal councils that sometimes are corrupt and sometimes not. You have big developers with extensive agendas with their eyes on the prize, with various ways of identifying the mineral rich land and moving in to get it 10 cents on the dollar. You have very few children graduating from high

school not to mention going to college and graduating. You have one Indian Health clinic overworked and understaffed. You have high incidences of tuberculosis, incidences of AIDS because of kids going to urban areas and becoming involved in prostitution and drugs and returning with AIDS. So the clinics are overstretched in terms of demands and ability to meet those demands. You have high incidences of alcoholism and drug addiction, about 5 times the national average, teenage suicide roughly five times the national average.

People say then, well what about the casinos? The best studies I've seen suggest that out of each casino gross profit dollar about 18 cents actually goes to the tribe because you're taking out consulting, licensing fees. So only about 18 cents stays with the tribe and of that a large amount is taken off by the powers that be in the tribe, so that maybe 5 cents of a casino dollar comes anywhere near the average Indian on an average reservation. So casinos are not the panacea that everyone talks about. Plus you lose part of the heritage and culture when you enter that type of enterprise. It's a very sad, stark existence. It's an indictment. People talk about genocide on Bosnia, and we should definitely be concerned about that because we're all human beings, we're all part of this planet. It's interesting by the way that in the Inuit language there're 103 words for snow, but only one for people: which is "Inuit" (human being) There's no work for black people, white people, red people, there's just one word: human being. And so we should be concerned about Rwanda and Bosnia, but there's genocide going on right here in America, and as long as it keeps going on it's an indictment of this country. For those who say why should I care, I'm not Indian, the issue is that the best form of "national security" is having a society that's worth being secure.

**DH:** How does the situation of American Indians compare with that of other indigenous peoples around the world, say in Australia or Canada or New Zealand?

**JC:** Well, from what I've been able to see, the situation in New Zealand and Australia with respect to aboriginal people is actually somewhat better than the US in terms of available services, recognition of aboriginal rights – it's not a rosy picture, there's still very brutal exploitation there--but there is more recognition that when this kind of subjugation and genocide is going on inside your borders it's an indictment of the whole nation. In terms of services and national sovereignty, in Canada, in my opinion, it's much better than the US, although again if you go to Saskatchewan and Alberta and whatever, it's still a very stark existence on Indian reserves. I worked on a Cree reserve and conditions then and still are pretty

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raw. But I would say that they're better than here in the US. The US is way behind in terms of addressing not only land issues but issues of national

sovereignty and what's happening. If something isn't done now I suspect that there won't be any Indian people left in three generations.

**Narrator:** Because of their death or because they will blend into the surrounding society?

**JC:** All of it: death, blending, all of it. Part of it has to do with the redefinition of Indian people by non-Indians. This is a serious issue. The other thing is the powerlessness. Just imagine if you had a football team called the New York Niggers. Or the Kansas City Kikes. Or the San Francisco Spiks. Imagine that they have the watermelon shuffle. Some caricature of a black person coming out and shuffling around. There would be an absolute outrage and rightly so, because that's really ugly stuff. But nobody thinks even twice about the Washington Redskins, the tomahawk chop Kansas City Chiefs, the Cleveland Indians with the buck-tooth, illiterate looking Indian icon. We've seen so much sensitivity, and rightly so, to injustices that have been done to blacks, Jews, Hispanic people, and we should, but when it comes to Indians, we see all sorts of stereotypes and caricatures that no one would dare make with respect to any other group, and part of it comes from the fact that we have no national Indian voice or leadership, but part of it is the whole history that well, they're dying anyway, they have no power anyway, they're off on their own anyway, so just let them go.

**DH:** You say there is no national Indian movement, virtually one publication of any significance. Why is there this lack of cohesion, lack of voice?

**JC:** Well, a lot of it has to do with the divide and rule tactics that have been used against Indian people for hundreds of years, where they would separate tribes and where there were some territorial disputes, and not even disputes really, disputes were created. A good example is the Hopi and Navaho. The Hopi and Navaho have been inter-marrying for generations. But because there is some uranium and coal some land disputes were started. The Paiute and Navaho are another example where the powerful, mostly for economic interests, played one off against the other. These divisions continue to this day. Just imagine: we don't have, for example, a Bureau of African American Affairs, of Polish Affairs. But we have a Bureau of Indian Affairs. What do they do? Right now, for example, there's close to \$3 billion missing in BIA accounts. Missing! Nobody knows where it went. And the records were all torched, they weren't even put on computer backup. We've got another case where, because Indian royalties were undervalued by oil and mineral interests according to the formula they were using, almost \$6 billion of royalties due tribes being ripped off by undervaluation of oil and gas royalties. The BIA also has been caught, for example, fronting for developers, identifying mineral rich lands and then aiding developers in getting some of the land at 10 cents on the dollar. The BIA should be abolished; they've done far more harm than good. Their argument is that now, for example, to recover your money you've got to stick with us because otherwise you have no

chance of getting the tribal monies that are missing – almost \$3 billion dollars missing. But the BIA is a custodial agency, a broker on Indian issues. It was formed to take care of “internal colonies” – it’s part of the Department of Interior and says, “we can’t trust you Indians to deal with non-Indians directly.” So if non-Indians want to deal with Indians they have to go through the BIA. There are some exceptions to that, but not many. It’s a gatekeeper between various nations and non-Indian people and other interests. Again, we get to the same problem. Can you imagine if we had a Bureau of African American Affairs, or Bureau of Caucasian Affairs? There would be an outrage if there was something like that, but nobody says anything when it comes to Indians.

**DH:** What might a more humane set of policies look like?

**JC:** I can only speak for myself, but basically it comes down to the fact that there needs to be more coherent and cohesive outreach to non-Indians. Indians alone are not going to be able to solve these problems. They need natural allies. Part of the problem is to break down a lot of the stereotypes and myths, you know, about the rich Indian from casino money, and so on, among non-Indians. Indians need to work with working class people and progressive intellectuals and whatever, to say, these are the myths you’ve been told about us. We don’t think you’re the enemy, because your skin color is different. Please join us

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because our fight is your fight. You know, there was a time in Germany when people said, well, I’m not Jewish, or homosexual, or trade unionists and therefore this isn’t my problem. What happened is they were living in a Nazi society where it was only a matter of time that anyone with a heart or an IQ over 60 could be next. It’s the same thing about Indians in America. If you don’t care about Indian issues, well go ahead and say that now, because you may be next, because it means you live in the kind of society that allows genocide, that allows this kind of desecration of the sacred, if you want to put it that way. And it’s only a matter of accident as to whether or not you’re next. So we need to reach out, we need to build united fronts, common concerns, break down stereotypes, and need to educate. We need to say, listen this is all of us, we need to stay together. We don’t want to take your land, please don’t steal ours. By virtue of the very same principles that you hold sacred that defends your property, then please understand that our lands, our rights, our birthrights, our cultures and heritages have been stolen from us and we need to define ourselves, we don’t need non-Indians defining what is “authentic” Indian and what is not.

**TAPE 3B:**

**WBAI Interview: 6/18/98 (Doug Henwood and Jim Craven)**

**Narrator:** Tell us about this panel you’ve been serving on investigating crimes of genocide in Canada.

**JC:** This was an inter-Tribal court made up of tribal judges from different tribes and nations. It was sponsored by the International Human Rights Association of American Minorities which is a consultative body of the UN. It was a UN-NGO-observed tribunal. Any comments I make here are personal, not official findings as these findings have not been made public yet. The tribunal was conducted under the rules of tribal law. The director of IHRAAM was present, and it had to do with allegations of systematic and various forms of abuse of Indian children in the residential school system. It also had to do with allegations of genocide under the terms of the UN Convention on Genocide. This Convention defines genocide as follows: A. killing members of the group, B. causing serious bodily and mental harm to members of the group; C. deliberately inflicting on a group conditions of life calculated to bring about its physical destruction in whole or in part, D. imposing measures intended to prevent birth within a group, or E. transferring children of the group to another group. So it was also to investigate the patterns in residential school systems and other things: de-Indianizing land, privatizing Indian land and whether they constituted genocide. And finally the Canadian government. has imposed a settlement of \$326 million because there's already been an admission of guilt to some extent in a British Columbia Supreme Court decision. We were also to investigate whether those monies had been paid to the victims, or the terms under which they would be paid, and whether there were other victims who should be covered under that settlement. So that's basically it. As of now, none of that money has been disbursed and we are supposed to investigate. There are some disputes between some of the nations where some don't want a blanket settlement. They want to fight it tribe by tribe, nation by nation, and the reason for that is because a blanket settlement – “we're sorry, here's \$356 million, now the guilt is over” – some people feel we need to get out the particulars of what went on, not just to point the fingers of blame, but also to bring individuals to justice that need to be brought to justice and also to point out a pattern.

Listen, the word genocide came from a Polish jurist named Raphael Lemkin in 1944. It comes from “genos which means race in Greek and “cide” or the killing of, which is Latin. The UN has subsequently differentiated “ethnocide” where a group is progressively destroyed, but there may not be an intention to destroy that group as a group. An example is warfare, like in Bosnia let's say, where one group is at war with another group and gets wiped out, but supposedly the *intention* is not to wipe out these people as a people. That's called ethnocide. Genocide means that there's a conscious, deliberate intention, what they call in law *mens rea* – an intention to destroy a people as a people. One of the reasons why some people are opposed to a blanket settlement is that it may gloss over or not allow us to get to exactly what is going on and whether there is genocide going on and not just ethnocide. I found it interesting: the Canadian Prime Minister Jean Cretien said “It looks like the Court has attributed (he's talking about the BC Supreme Court) to the federal government some responsibility. If

we had responsibility we have to meet our responsibilities." The Canadian government was summoned to be at this tribunal, but sent no observer. The

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Catholic Church was asked to be there, because a lot of the residential schools were being run by them (UC, Catholic, Methodists, Anglicans, and there was some mention of Mormons), but they sent no one. Observers from these churches were asked to be there also. Not only to look at what has happened but to make sure it doesn't happen again. They chose not to send any observers even though they knew this was an official UN tribunal. Another quote from Jerry Kelly of the Canadian Conference of Catholic Bishops: "This is a major threat to every church in the country." "The potential costs are exceedingly high. I don't really know what's going to happen. The number of cases have just grown and grown." So the churches are well aware that there are some serious allegations being made and they're mounting, but they chose not to send representatives.

**DH:** The situation is that the churches were subcontractors of the Canadian government to run schools and they were essentially subcontractors for genocide.

**JC:** Well, I wouldn't necessarily use that term "subcontractors" but I guess that would be proper. Under Canadian law in the case of broken families it's a matter of law that the children are put into residential schools. The residential schools are run by the churches. So that gets into the forced assimilation issue as opposed to choosing to be assimilated. Under international law if people choose to assimilate with another group, that's not a crime. But if people are forced to assimilate into another group, that comes under one of the particulars of genocide. We heard allegation after allegation of people whose parents put them in residential schools believing they were under a legal obligation to do so. We heard allegations that children were beaten for speaking their native language, being left handed, for practicing traditional rituals or practices. We heard testimony where children were forced off their traditional Indian diets and residential school diets designed to be cheaply provided, heavy and carbohydrates and fat, where you could feed a lot of people for very little. As a result a lot of them today are suffering diabetes and kidney failure and other kinds of diseases associated with diets they were pushed on to in the residential school system. We heard repeated allegations of sexual abuse, physical abuse, murder, intimidation when people reported murder, threats of retribution when reporting murder. We heard allegations of secret graveyards, of victims who were buried, graveyards of children the products of liaisons between a priest and children that were disposed of.

**DH:** And these horrors were something in the distance past, right? We're talking about fairly recent events?

**JC:** Oh yes, going back to the 30's all the way up to the present. The allegations we heard go right on up to the present.

**DH:** And this is not just freelance abuse but part of a pattern amounting to genocide?

**JC:** Yes. What we are looking for is whether there is a pattern. Lemkin, when it wrote his original book on genocide, said that genocide involves two phases: The first phase is the destruction of a national pattern of the oppressed group; the second phase is the imposition of a national pattern of the dominating group. So what we heard were allegations of the destruction of the national pattern of Indian peoples, meaning diet, religion, language, culture, family structure, belief systems, moral value systems – all of it. Then we also heard that the residential schools were being used to de-Indianize, and impose the national pattern of the dominant group – to Christianize them, to de-Indianize them.

**DH:** Why were they doing these things?

**JC:** There are various motives involved. One is economic. For example, one of the cases we heard that was typical was known as the Lot 363 case. This had to do with traditional native ancestral land on Flores Island which is off BC, of the Ahousaht people. This land was expropriated by the UC, sold in 1953 for about \$2,500 to the grandson of a church missionary despite repeated protests of the Ahousaht elders, and that land was then sold to McMillian-Blodell for over \$1 million in 1994 – it was very rich in old-growth timber. So part of the motive had to do with de-Indianizing children as a way of breaking their connections

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with their tribes, their nations, but also breaking the connection of the nations with their ancestral lands, to privatize ancestral lands. The second motive we heard of course is the usual arrogance of some of the mainstream religions that, you know, “We are the true church,” “Our way is the only way,” “These children are savages practicing a savage religion,” “They represent an affront to the mainstream culture,” and so on.

**DH:** Again, we're talking about the present, not the 19<sup>th</sup> century?

**JC:** That's right. It goes on today. We heard allegations, for example, of just recently very very severe beatings by RCMP and others, and again it seemed that if you're Indian, you have no protection, no rights, it's just open season. We heard allegations of public beatings within a context that probably people from other groups would not suffer the same intensity. We heard about not only priests and church officials being involved, but members of the RCMP, allegedly, members of the government.

**Narrator:** We hear all about NAFTA, the economic borders between the US and Canada supposedly disappearing rapidly. You told me a case this afternoon of people who were prosecuted for crossing the border to trade wheat with other tribe members.

**JC:** Yes. Among the Blackfoot people, there are four main tribes, the Akaina or Blood, the Northern Peigan, the Siksika which are Blackfoot, and the Southern Peigan or Blackfeet which are in Montana. There was a case of one person, Harvey Franks who brought wheat down across the border to sell to the Blackfeet tribe in Montana (keep in mind that these are all part of one natural people who existed there long before there was a Canada or a United States or indeed any kind of border.) He was put on trial in Alberta for violating the Wheat Export Control Act because in Canada all wheat is brokered through the Wheat Board. So his argument was that Blackfoot people are a whole people, that members of one tribe have every right to sell to fellow Blackfoot, and further that this interfering with commerce between tribes of one nation is effectively helping to promote the destruction of that whole nation. I'm not sure where the case stands right now, my understanding is that it's in abeyance right not as a result of protests against it. But this is an example of whereas NAFTA is supposed to break down borders for free trade, free commerce, here's someone who just from one tribe of a nation came to sell to his fellow tribal members and was put on trial for it. I suspect part of the reason is because of the sovereignty implications of it. In other words, because we have the Jay Treaty which the US has recognized but Canada doesn't which calls for free and unmolested travel on both sides of the border between indigenous people (so many of the nations are divided because of the border) and in order to keep one nation together and preserve what's left there has to be free exchange back and forth. This has been interfered with on both sides of the line.

**DH:** The border exists at the pleasure of capital and the state.

**JC:** Indeed. As to the tribunal, we took it very seriously, it was conducted under tribal law, everybody understands that allegations are not facts in and of themselves, they may lead to facts, but they're not facts in and of themselves. I suspect personally that non-Indians got a much fairer hearing from Indians than Indians have ever received from non-Indians in their courts.

**DH:** We're running short on time, but is one of these tribunals planned for the US?

**JC:** Yes. It's still in the works right now. This was the first tribunal of its kind to investigate not human rights in China, in Tiennaman Square or whatever, but now we're talking about genocide inside our own borders. And the people who are doing this know how to use that term very carefully. So what's being planned now is inside the borders of the US because the Boarding School system, which is equivalent to the residential school system in Canada, many of the same

atrocities and abuses allegedly occurred in those schools, too. There are so many Indian nations in the US who have made these kinds of allegations for years and they've never been investigated. So the next step will be inside US borders to look at the same kind of thing.

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**Narrator:** Has this tribunal been publicized well in Canada, do people know about it?

**JC:** What happened was at the tribunal we had people who brought to us how they had allegedly been threatened inside the tribunal. We had false press releases sent out telling people to go to another place at another time so that press wouldn't show up. The government of Canada and members of the churches refused to show up even though it was a UN tribunal. Right now I'm sitting on another phony press release saying that findings have already been made from this tribunal which is not the case. We also saw during the tribunal numerous examples of attempts to sabotage what was being done there. So yes, it was publicized but not as widely as you might think because there were some forces at work there trying to prevent it from being fully publicized. Nevertheless it did occur and it was generally conducted with a great deal of integrity although we did have some problems internally.

**DH:** Any idea of who was doing these disruptions?

**JC:** I can only speculate, but I suspect it was the people who were being examined, they would have the greatest motive to do so.

**DH:** How would you compare the status of the Indian peoples in the US vs. those in Canada?

**JC:** The fact that something like this could even go on in Canada is indicative of something. On a formal level, I believe that in terms of indigenous rights and so on, Canada is probably ahead of the US. On the de facto level, perhaps that's another question. But I think the Canadian is probably more "advanced" than our own government in the US in terms of being willing to consider the possibility that there were some serious crimes and wrongs that need to be addressed and prevented in the future. The settlement for \$356 million, as much as that may be a blanket settlement and designed to not deal with the specifics that may be uncomfortable to deal with, is a heck of a lot farther than what we've seen here in the US. In capitalist law, if you wrong somebody, you've got to pay damages. It's the same thing here: some people have been horribly wronged and until we're honest about ourselves and our own history we're going to have a real tough time pointing to human rights violations in China, and Burma and other places, when there's genocide going on right inside the borders of the US and Canada.